Bandits in the Roman Empire

MYTH AND REALITY

Thomas Grünewald

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Thomas Grünewald

Translated by John Drinkwater

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TRANSLATOR'S FOREWORD

I was prompted to undertake this translation by events at a conference organised by the International Centre for the History of Slavery (ICHOS) at the University of Nottingham in 2001.

In discussion stimulated by a paper delivered by Professor Heinz Heinen, at the time director-designate of the Research Group on Ancient Slavery at the Mainz Academy of Sciences and Literature, Germany, it emerged that English-speaking students of international social history were not fully exploiting important German publications in their field, mainly because of the difficulties of reading these in the original. It occurred to me that this could be overcome by translating such publications, and that a very useful start could be made with Thomas Grünewald's *Räuber, Rebellen, Rivalen, Rächer* (1999) which provides an admirable introduction to the challenges involved in assessing the evidence for those living – or, perceived to be living – at the edge of society in the Roman world.

I am grateful to Heinz Heinen for taking up my proposal and presenting it to the Mainz Academy, and to Richard Stoneman for commissioning the translation on the part of Routledge. I owe particular thanks to Thomas Grünewald for his promptness and enthusiasm in reading and correcting my draft chapters as they were produced, at a time when he was under particular professional pressure. Any faults that remain are mine, not his.

ICHOS was conceived by Thomas Wiedemann, Professor of Latin at the University of Nottingham, who died tragically young just before the 2001 meeting. The loss of Professor Wiedemann was a great blow to Classical scholarship. In the short time in which I was his colleague I learned an enormous amount from him and, with the permission of the author, dedicate this translation to his memory.

ICHOS continues, as the Institute for the Study of Slavery, under the direction of Professor Geary, to whom all enquiries respecting its activities should be addressed: dick.geary@nottingham.ac.uk.

John Drinkwater
Nottingham, September 2003

AUTHOR'S PREFACE TO THE ORIGINAL GERMAN EDITION

Räuber, Rebellen, Rivalen, Rächer

This work was successfully submitted as a *Habilitationsdissertation* to the Faculty of Arts and Social Sciences at the Gerhard-Mercator University, Duisburg, during Winter Semester 1997/98. The text has been slightly revised for publication in order to accommodate comments made by examiners.

Numerous colleagues and friends have helped towards the completion of my 'bandit studies', and I would like to thank them warmly here. In pride of place is Leonhard Schumacher, Mainz, who has actively supported me throughout my professional career and taken great interest in my progress. During his time at Duisburg he encouraged me in my pursuit of Roman *latrones* and did much to further my work through his many references to sources and publications and his frequent discussions with me on methodological issues. His successor in the chair of Ancient History at Duisburg, Rupprecht Ziegler, took a keen interest in my dissertation as it neared its completion and likewise helped me in any way he could. I owe further thanks to Leonhard Schumacher and Rupprecht Ziegler, together with Peter Herz, Regensburg, for their examiners' reports. These, through their searching criticism, have helped to remove a number of imprecisions in the content of my text.

I owe deep thanks to Heinz Bellen, Mainz, for his keen interest in the progress of my research, and for enabling me to publish its results in the series 'Forschungen zur Antiken Sklaverei'. I extend this thanks to members of the Research Group on Ancient Slavery at the Mainz Academy of Sciences and Literature, working under him. My research profited immensely from the fruitful conversations I was able to have with members of this circle about my dissertation, and from the help they gave me in respect of sources and references to publications.

I was able to discuss particular points and general issues of methodology and approach with Frank Bernstein (Mainz), Helga Scholten, Barbara Fink and Eckehart Stöve (Duisburg), Anton van Hooff (Nijmegen) and my wife. These also read my draft, in whole or in part, and through their astute questioning and advice helped greatly to improve its quality. Thomas Wrobel, Manfred Körfer and Sabine Miethe read the proofs and kept a sharp eye on

content and style. Thomas Wrobel and Sandra Seibel also toiled together to produce the indices. To all of them I express my deepest thanks.

My colleagues in the Department of History at Duisburg, staff and students alike, encouraged my 'bandit studies' and helped bring my dissertation to a successful conclusion by their interest in these and by providing the friendly working environment in which I was able to pursue them. I am deeply indebted to them all and, in particular, to Dieter Geuenich, who chaired my board of examiners and who otherwise offered me much inspiration and support. I thank Elisabeth Herrmann-Otto, Mainz, for her expertise in taking the book through the press. I am obliged to the Deutsche Forschungsgemeinschaft for its generous contribution to the costs of publication.

Thomas Grünewald
Duisburg, October 1998

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INTRODUCTION

1 Preamble

Historians are increasingly recognising that outsiders and those on the margins of communities are integral elements of every social structure, and that they therefore have a significant effect on the historical process. Social historians have taken this into account by paying greater attention to people of lower social standing and members of marginal groups, alongside the upper classes, who are in any case over-represented in the sources.[1]

As a result, there is currently a developing interest in such historical phenomena as poverty, exclusion and crime. Such curiosity, which has impacted on many fields of study, can be understood on psychological grounds as emanating from the need to explain the potential for crisis which has arisen on the fringes of modern society, both within that fringe and with regard to its relationship to wider social groups.

2 Problems and methodologies

In the fields of social history and the history of thought, robbers and bandits are fascinating objects of study and those historians dealing with marginal groups have given them an extraordinary amount of attention.[2] In the sphere of Roman history there have been numerous enquiries on this theme. The most important contributions will be cited at the end of this Introduction, in the context of a survey of research. What these studies have produced is extremely informative, but somewhat controversial and viewed overall, still incomplete. The subject can, therefore, hardly be regarded as closed. But if one is to engage with robbers and bandits of the Roman period, a serious problem is raised by the question as to how precisely one should handle them.

The assembling of the references to *latrones* (or *leistai*) within the Roman Empire soon leads to the sobering conclusion that Roman writers gave banditry and other everyday forms of crime only cursory attention. It was, indeed, a ground rule of Roman historiography that 'it is not fitting to draw out a history through the inclusion of insignificant details'.[3] I shall

discuss why this was so more fully below. Suffice it to say that this state of affairs has resulted in the fact that this book, though originally intended to be a straight narrative of bandits and robber bands in Roman Antiquity, has turned out very differently: the source material is insufficient for such a treatment. For example, if one wished to write a history of banditry by ordering such information as there is chronologically, by province,[4] one would be constantly gambling on filling in gaps of hundreds of years and hundreds of miles with what amounted to empty rhetoric. All this would entail a compression of time and distance wholly unjustifiable in the light of the many centuries of Roman history, the numerous peoples and regions of the Roman Empire and the changing phases of stability and crisis. It is for this reason that the marginal groups of ancient society are not a valid subject for statistical enquiry.[5]

A preliminary examination of references to *latro* and its Greek equivalent, *leistes* (*leistai*), results in a further realisation, that writers of the Roman period used these words to express a range of concepts, quite different from those of the original meanings of 'robber' and 'bandit'. Ancient readers could of course relate them to all their different nuances without further explanation. Modern readers, on the other hand, find it difficult to understand precisely which sort of *latro* is under discussion. To ensure an objective appreciation of the sources, the modern observer must therefore resist the temptation to see in every mention of *latrones* or *leistai* a literal reference to bandits.[6] Roman usage of the term was indeed generally metaphoric: the person labelled a *latro* was often in fact no bandit, but rather (to simplify the issue) was only being compared to one. Historians have often missed this point and it is the most important reason for the misunderstanding of Roman *latrones* (cf. below pp. 9ff.).

Over the course of time, the frequent use of the robber metaphor for various types of people led to even the ancient writers being no longer aware that the usage was metaphorical. They used *latro* not as a figure of speech, but as a word with many meanings of which, in any particular instance, they had just one in mind.

These precursory observations on source tradition and terminology expose the relationship between what one may aspire to accomplish and what one can accomplish, and so allows me to formulate the aim of this work. The guiding questions are simply: Whom did the Romans see as *latrones*, and what did they understand by *latrocinium*?

In order to justify such a treatment of the topic, two further grounds may be cited. First, the cases uncovered by examination of the sources throw up a mass of problems to do with social and intellectual history and the sources, the resolution of which promises advances in understanding beyond the framework of more narrow enquiry. Second, in the Roman tradition the *latro* appears in many shimmering colours and shades, making it necessary to establish whether the *latrones* we are told were historical figures constituted

a social type or whether they were a literary construct. If they should turn out to be the latter, one must then explain the function of the *latro* figure in the Roman tradition.

Since I soon began to suspect that the *latro* might be a literary construct unconnected with everyday reality, I chose not to begin my research with the colourful depictions of bandit life to be found in, say, Apuleius' *Metamorphoses* or Heliodorus' adventure novels and to draw conclusions from those concerning historical bandits. This would, I considered, lead to serious misinterpretations already visible in part in existing work on *latrones* (see the review of research below). I begin instead with *latrones* who are presented by Roman historians as historical personalities.

In order to answer the crucial questions 'who was a *latro*?' and 'what was *latrocinium*?' I therefore chose to adopt a typological approach, based on prosopography. This means that I first established all those persons who can be shown to have been called *latrones* by the Romans (i.e., above all, by Roman historians). My typological approach involved my attempting to group the prosopographical material by different classes, according to the characters of those concerned, their deeds and what people basically thought about them.

Classification of *latrones* according to their supposed personal characteristics produced two basic types: the 'common' and the 'noble' bandit. Classification of *latrones* according to what they did produced four categories: 'bandits', 'rebels', 'rivals' and 'avengers' (hence the book's original alliterative German title: *Räuber, Rebellen, Rivalen, Rächer*). For the moment however, let us ignore precisely how these two classifications relate to each other. In each chapter I will first present the best examples we have of a particular type, and then compare these with less important or less well-evidenced parallels. Such examples include Viriatus, Tacfarinas, Spartacus, Catiline, John of Gischala, Bulla Felix, Maternus and Clemens, the slave who impersonated Agrippa Postumus. Investigation of these cases and their parallels gives us a total of over 80 *latrones*.

As far as the validity of such classifications is concerned I would stress that none of the basic types of *latro* is pure or entirely distinct. They usually overlap, so that every *latro* displays aspects of several classes. Allocation to one specific category depends on the apparent predominance of a particular quality or qualities. This should not be regarded as methodological inexactitude, but rather as a reflection of the fact that an individual rarely embodies an ideal social or literary type.

What we are dealing with are essentially people who were either called bandits or of whom it was suggested that they were bandits. 'Suggested' means that in the Roman tradition there are people who, though not explicitly termed bandits, are made to look like *latrones*. The occurrence of persons projected as, but not labelled bandits may be seen as an expression of autonomy on the part of the writer concerned (able to use or paraphrase a word

as he thought fit); alternatively, it could have arisen from the writer's desire (for reasons of propriety or otherwise) to avoid directly calling the individual concerned a *latro*, hence his deployment of suggestive circumlocution. Recognition of this approach, of course, makes extension of enquiry to evident 'paraphrased' banditry unavoidable.

Since this investigation is based on classification, it is not intended to touch on all bandits. However, it does aim to include all-important *latrones*, especially those who may be able to contribute to our understanding of a specific type of bandit. In terms of area, it deals with the whole of the Roman Empire. With regard to time, it covers a span of about 500 years. I would justify the latter by remarking that my chosen period comprises, as it were, the central (or, the 'classical') period of the Empire – from the second century BC to the third century AD. In other words, according to the traditional divisions of Roman history it includes the disappearance of both the Middle and Late Republics and of the Principate, as it turned into the Late Empire. Its commencement is marked by the high degree of development of the Roman world-state and, amongst other things, by the equally high level of development of an indigenous Roman historiography. Its end coincides roughly with that of the third century, with some run-on into the fourth. Despite elements of continuity, Late Antiquity should be allowed a character of its own. In this time of radical change, social and literary designations like that of *latro* underwent changes of meaning that would require another book to explore, and which make it unwise to take evidence from this period in reconstructing earlier phenomena. On the other hand, as will be shown in more detail in the section on terminology, the 500 years examined here form a unity with regard to the development in meaning of the Roman notion of the bandit. Finally, bandit topics from Late Antiquity, in particular the Bagaudae and Circumcelliones, have already been so closely researched[7] that they can be safely omitted (though mention will be made of the beginnings of the Bagaudic movement in Chapter 6).

In the following chapters, mention will be made of aspects of piracy in various contexts but there will be no systematic treatment of maritime banditry. As I will show in Chapter 1, the pirate constituted no particular class of bandit. The political and social aspects of the piracy of the eastern Mediterranean at the time of the collapse of the Hellenistic kingdoms have also been intensively researched, most recently in H. Pohl's Hamburg dissertation.[8]

3 Terminology, etymology, sources

I will now consider a dossier of evidence on Roman banditry, beginning with its ancient terminology. As already mentioned, in Latin 'bandit' is *latro*, in Greek *leistes*.[9]

Etymologically, *latro* is derived from the Greek root **latr*. The substantive *latreia* means 'services performed for reward', the verb *latreuein* correspondingly 'to perform services for reward'. However, *latreuein* has the special meaning 'to be a mercenary' and *latris* is the Greek word for mercenary.[10] In the most ancient Latin mention of *latrones*, *latro* still has the meaning of 'mercenary'.[11] The earliest references already reflect a certain suspicion of those termed *latrones*, a suspicion that found full expression only in the later meaning of 'bandit'. This unease was based on the experiences that the ancient world, in particular the Greek world, had had with marauding mercenaries from the fourth century BC: undisciplined fighters greedy for plunder, who turned to working on their own when the expeditions for which they had been hired came to an end.[12] Rome, which never recruited mercenaries, but which for centuries waged war by means of citizen conscription and then a professional army, had likewise, as a matter of course, become acquainted with the disadvantages of the profession. For example, in the course of the lead-up to the First Punic War, Campanian mercenaries had considerably contributed to the outbreak of the conflict by seizing Messana for themselves.[13] The complete renunciation of her own use of mercenaries, together with a deeply entrenched mistrust of foreign mercenaries, led to a change in the use of the term *latro* in Rome: the original meaning 'mercenary', was displaced in favour of the new, exclusive meaning 'bandit', referring to any sort of extra-legal man of violence.[14] It is in this form that we encounter *latrones* in the Roman sources throughout the period under discussion. The semantic consistency of the term may, as already indicated, be seen as a further justification for the chosen time frame.

When we look at the totality of the Roman sources, we can see that the theme of the *latro* is as difficult to investigate as any subject concerning the lower social classes or marginal groups. It may be taken as a rule of thumb that Roman historical and biographical writings refer to banditry and other criminal activities only when significant disturbance of public order simply cannot be ignored or when an author, in referring to *latrones*, is following his own particular agenda. As will be seen, the latter is more common. That *latrones* are only rarely mentioned in historical works derives from the conventions of the craft, the specific form of which may be regarded as resulting from the concerns of predominantly senatorial authors and their senatorial readers. As the following quotation shows, Cassius Dio had more or less to excuse himself to his readers when he chanced to discuss a distasteful irrelevancy such as bandits:

> During this same period (AD 6) many wars also took place. Pirates overran a good many districts, so that Sardinia had no senator as governor for a good many years, but was in charge of soldiers with knights as commanders. . . . I shall not go into all these matters

> minutely, for many things not worthy of record happened in individual instances and their recital in detail would serve no useful purpose. I shall give simply the events worthy of some mention and very briefly at that, except in the case of those of greatest importance.[15]

Ammianus Marcellinus concurred with this approach when he rebutted the complaint that historians paid no attention to detail and to everyday events. 'And many similar matters,' he continued,

> which are not in accordance with the principles of history. For it is wont to detail the highlights of events, not to ferret out the trifling details of unimportant matters. For whoever wishes to know these things may hope to be able to count the small indivisible bodies which fly through space, and to which we give the name of atoms.[16]

Given so strong a reluctance, Arrian was a rare, albeit not unique, exception when he published a biography of the bandit Tillorobos. This, sadly, is no longer extant.[17]

Contemporary assessments of the social importance of banditry in Antiquity are therefore obtainable from historical and biographical writings only in exceptional circumstances. By contrast, philosophical and rhetorical works by Roman authors occasionally offer valuable insights into the topic and complement certain aspects of the picture provided by the historians. Sometimes, within the context of discussion of state theory, robber bands were posited against the concept of government and the awkward question was raised as to what differentiated states from such bands. St Augustine, at least, found it difficult to draw a clear line between *regna* and *latrocinia*: 'For what are robber bands except little kingdoms? The band is also a group of men governed by the orders of a leader, bound by a social compact, and its booty divided according to a law agreed upon.'[18] The recognition that *iustitia* was one of the elements that constituted a state and that an expression of *iustitia* specific to bandit communities consisted in the regular sharing-out of booty is something that Augustine borrowed freely from Cicero. The latter wrote that the influence of justice was indeed so great that not even someone who supported himself from evil doing or crime could live without a spark of justice: that even bandits were supposed to have laws, which they complied with and respected.[19] Cicero was persuaded of the truth of this view by the case of the Cilician pirates, of whom it was said that among themselves they showed such selfless fellow feeling that they shared money and other resources even with wholly unknown battle-companions, as if they were dealing with their closest relatives.[20] Even if this report is fantasy, at least it offers an insight into the unfulfilled wishes and longings of a society in which social constructs such as the patron–client system were no longer able to provide a basic level of cohesion.

A further literary genre of the Roman period was that of the popular novel. It comprised in particular the *Metamorphoses* of Apuleius, *Leucippe and Cleitophon* by Achilles Tatius, Heliodorus' *Aethiopica* and the anonymous *Historia Apollonii Regis Tyrii*.[21] It was so characterised by brigands and pirates that the figure of the bandit may indeed be said to have been one of the constants of the genre.[22]

These recurring bandit episodes served various dramatic purposes. They broke up the main plot in an entertaining manner, created tension and often led to an unforeseen twist in the story. Bandit stories were, therefore, important for authors. The figures involved generally represented ideal bandit types, making it difficult to assess the extent to which the characteristics assigned to them were derived from the everyday experiences of their authors. In novels of the imperial period we encounter the 'honourable' bandit, forced into his trade by need, much more frequently than the 'bloodthirsty' bandit. It was said of Thyamis, the robber chief in Heliodorus' *Aethiopica*, that he was 'no out-and-out barbarian, but possessed a certain sensitivity of feeling because he came of a noble family and had chosen his current profession only out of necessity.'[23] Likewise Trachinos, a pirate chief in the same story, was made to say, 'Even freebooters possess something of a conscience and look out for their friends.'[24]

From even these few indications it can be seen that the world of these bandits could, or at least should, present the opposite of the unfairness of everyday living. In the romantic conceptions of the novels the individual values and norms of such brigand communities combine to form a picture of a better world. This type is not far removed from Eric Hobsbawm's 'social bandits' of modern history (see below, pp. 11ff.).

As I have remarked, it remains difficult to answer the question of the extent to which the novels' fictional encounters with bandits were based on experience of the realities of imperial life. Against too positive an assessment of the degree to which this was the case counsels the fact that the figure of the bandit appears just as lively in the works of the Hellenistic writers who did much to pave the way for these imperial productions.[25] However, recent research has judged the world of the novels as being fairly realistic, especially in respect of the depiction of the living conditions of ordinary people. F. Millar has shown this in the case of Apuleius' *Metamorphoses*, A.M. Scarcella for Achilles Tatius and J.R. Morgan for Heliodorus.[26] The truth may be that while novels were generally true to life, they were not so where bandits were concerned.

In the world of the novels we find two types of bandit: first, the brutal, common, evil and in every sense despicable lawbreaker; and, second, the 'noble bandit' who, undismayed, fights for right and whose band embodies the ideal of a just world. Outside the novel we also come across precisely these two types of bandit in the historical tradition. With regard to the historical bandits who are the subject of the next seven chapters, it will be

shown that they always fall into one of these categories. To be blunt, the historical bandits are no different from the fictional.[27] It must be said that such similarity should not lead to the conclusion that the fictional bandits were drawn closely from life, but rather to the exact opposite, that in the telling of their stories the historical bandits were made into romantic figures.

It is the main contention of this study that historians made historical bandits look like bandits in novels, not that novelists modelled their bandits on those in history. Both fictional and historical bandits were the projections of contemporary ideas. The nature and function of these ideas will be examined below.

We can get closer to social reality in Antiquity by means of the legal texts, as found in the *Corpus Iuris Civilis* and in textbooks by the classical Roman jurists. These show that the state regarded banditry as a social and legal problem. From the repeated concern of the legal texts with the criminal act of 'robbery', as evidenced in imperial rescripts and constitutions, we can see periods in which banditry clearly reached a threatening level. In particular (and something which we know from contemporary experience), intensification of punishment reveals at least as much about the helplessness of the state as about its decisiveness. Further information comes from inscriptions recording the violent deaths of individuals at the hands of robber bands. We are provided with particular and detailed information concerning banditry, theft and other forms of criminal behaviour in the Roman period by the Egyptian papyri. However, I will postpone discussion of these areas until Chapter 1.

The number and character of the sources have further consequences for the methods by which the topic of bandits can be pursued. Summarising this review of the material, I would again emphasise that our knowledge of Roman robbery and banditry rests on two types of information: first, on the (few) reports of concrete instances and, second, on the utterances of ancient authors, generally based on no specific case and never to be taken at face value.

The first major problem with regard to methodology is that the number of reported cases is almost zero relative to the number that we can roughly estimate as having occurred. It is thanks to a more or less accidental reference by a single author that we know that Ephesus, in the imperial period, possessed an archive in which were stored the city's criminal records.[28] Of course, we are almost entirely lacking in such sources. A happy exception to this rule is provided by the records of the police archives of a community (a nome) in Egypt under the early Principate, dealt with in Chapter 1 (pp. 25ff.). There is simply not enough information for empirical research. Likewise, the depth of information given for a particular case is usually so shallow that it cannot serve as a model for a larger number of apparently identical or similar instances.

A further peculiarity which needs to be considered in respect of methodology concerns the second type of information referred to above, the often somewhat dubious evidence of ancient writers. In philosophy, history and other works of literature (including novels), observations and opinions concerning brigands and their way of life fulfilled a specific function. I see this function in the wider context of the general opinion-forming intent of Roman writers.[29] It consists, I would say, in the wish to draw the attention of those who read their texts, i.e., members of the current social and political elite, to grievances for which they were responsible. These were largely grievances about the living conditions of the lower social classes. This is illustrated by an episode recorded in connection with the bandit Bulla Felix (dealt with in Chapter 6). Bulla's 600 strong robber-band had for years terrorised Italy under Septimius Severus. Amongst other things, Bulla is supposed to have managed to capture one of the hit men (a centurion) sent to kill him. According to Cassius Dio:

> Later [Bulla] assumed the dress of a magistrate, ascended the tribunal, and having summoned the centurion, caused part of his head to be shaved, and then said: 'Carry this message to your masters: "Feed your slaves, so that they might not return to brigandage!"[30]

Elaborately constructed narratives such as this raise the question of their historicity. We should, however, be prepared to accept that in such cases historical veracity was not uppermost in the writer's mind. As stated earlier, this type of bandit story was intended as a sort of 'photographic negative' of what really happened in society. Bulla's wearing of official clothing, his sitting on a tribunal, and his dealing with the centurion as a messenger from a hostile power made his robber band look something like an organised community and allowed his company to project itself as an alternative state. That the Bulla of legend warned the representative of the civil power to feed slaves sufficiently to prevent them from having to become bandits is the essence of the whole story: an hortatory *exemplum* serving as a wake-up call to the Roman ruling class. Texts like this were not, therefore, particularly concerned with banditry as such. Rather, they conveyed romantically transformed images of robber bands, carrying messages for their readers.

4 State of research

Older publications on *latrones*, down to the 1960s, were seldom more than antiquarian assemblages of material. However, they deserve credit for opening up the sources for later research, which has aimed at a more conceptual approach to the topic. The same may be said of analogous entries in encyclopaedias of Ancient History and summary reviews, such as those of Ludwig

Friedländer in his *Roman Life and Manners* and of Martin Hengel in his book on the Zealots.[31]

In Marxist historiography, engagement with robbers and bandits of Antiquity as manifestations of class conflict (according to the teachings of historical materialism) had become regarded as a very fruitful activity as early as the 1950s.

Thus Rigobert Guenther, in his Leipzig dissertation of 1953, attempted to show *latrocinium* as 'a particular form of resistance of the oppressed classes and of barbarians in the Roman slave-owning state during the Principate' and so interpreted it, in the sense of a distinct and continuous movement, as a means of class conflict, recognised as such by those who deliberately deployed it.[32] The basis of this approach is subject to the same criticisms as those levelled against Marxist studies of slavery: that there is no proof that in the Roman period slaves (and, likewise, *latrones*) had any sense of belonging to a class, or that they, out of feelings of affiliation to the oppressed levels of society, had developed any revolutionary purpose. In addition, in his study Guenther made a methodologically questionable attempt to arrange his material chronologically and regionally so as to produce an endless and closely linked chain of causes and events, meant to show *latrocinium* as an ongoing process, part of the continual conflict between the classes.

Until recently, probably the most comprehensive collection of references to Roman bandits was provided by R. MacMullen (1966) in an appendix to his *Enemies of the Roman Order*.[33] With its brief comments, this set of material opened the way to a new and wider understanding of what the Romans meant by *latro*. The 'bandit' began to be seen not simply as a common criminal but rather, as the title of MacMullen's book stated, in terms of political security as an 'enemy of the Roman order'. A few years earlier, MacMullen had published an article that dealt with *latro* in its specialised meaning of 'usurper' – once again, from the point of view of political security. This study, though short, pointed the way forward.[34]

Heinz Bellen (1971) gave banditry, as an alternative to slavery and so as one of the 'major motives for flight by slaves', particular attention in his book on runaway slaves in the Roman Empire.[35] In doing so, Bellen dealt with aspects of Roman banditry which went beyond the close relationship between fugitive slaves and bandits. These included, for example, banditry as a 'calling', banditry as a means of leading revolts, banditry as the result of military desertion and, finally, the measures taken by the Roman state to defend itself against bandits. Wolfgang Hoben's (1978) work on terminology served to clarify the conceptual use of the vocabulary employed to label bandits in the context of the slave wars of the Republic.[36] Peter Herz (1988) took a look at the ancient world's endemic problem of cattle thieving from the point of view of Roman criminal law; and at the same time, Hans-Joachim Drexhage (1988) showed how the huge bequest of the papyri could be exploited to obtain important insights into everyday petty crime in Roman

Egypt.[37] We have to thank Thomas Pekáry not only for his 1987 publication of a catalogue of over 100 cases of *seditio* in Rome and the provinces in the period from Augustus to Commodus but also for the conclusion that he drew from this: that minor disturbances of the peace were a feature of life in the Empire, even during its most peaceful periods.[38] Pekáry's pupil, Julia Sünskes Thompson, supplemented his findings in a dissertation published in 1990, concerning cases of unrest and protest which occurred under the Severan dynasty.[39]

A study which pioneered the way for much recent work into bandits in history, in particular Roman history, was Eric Hobsbawm's (1969) *Bandits*, on robber bands of the modern period.[40]

This dealt not with common criminals, but with bandits from agrarian societies with socio-political motivations. Their violence was interpreted as a form of individual or minority protest against the (real or suspected) instigators of social need. In brief, Hobsbawm's concern was to highlight those bandits, great and small, who seemed to have Robin Hood as their prototype.[41]

Hobsbawm claimed that his model of the social bandit was valid for all pre-industrial peasant societies – thus elevating the social bandit to the rank of an anthropological constant. The question as to the validity of his approach, which in conceptual terms is very close to the Marxist notion of *latrocinium* as a form of class conflict, was and remains the subject of sharp debate. Its effect can be seen in the fact that an exhibition of items illustrating historical bandits and robber bands held in 1996 at the Badisches Landesmuseum, Karlsruhe was given the title 'Hero or Villain?',[42] with the former option clearly predominating thanks to the emphasis placed on it by the creators of the display.

The concept of the social bandit has had a long-lasting impact. In a study of bandits and robber bands in the Roman period such as this, much hangs on the question of its appropriateness. Because of its importance, I will, in the context of this simple review of research, eschew consideration of the model and the way it can (and must) be criticised. I will, however, return to the issue in Chapter 5, which will look at the *leistai* who figured prominently in Judaea in the days leading up to the Jewish War. There are two reasons for discussing the matter in this context. The first concerns the sources which, thanks to the works of Flavius Josephus, are remarkably good. The second is the fact that a number of distinguished scholars, in particular Richard Horsley,[43] have claimed that these Judaean *leistai* confirm the validity of Hobsbawm's model.

Anticipating my findings, I would here make plain that this examination will lead to a negative result. The Judaean *leistai* were not social bandits but rival contenders for political power branded as 'bandits' and described as such by a reporter – Josephus – who had his own axe to grind. In my opinion, this has been overlooked previously because modern researchers have – in respect of this and similar cases – paid too little attention to the

question as to whether the 'bandit' concerned and described as such in the sources was (a) a real bandit: considered as such by himself and by people on the margins of society or (b) a product of literary stylisation: the creation of an outsider's judgement, the target for the projection of views alien to his own social circles.

I feel that this oversight is particularly characteristic of those works written after Hobsbawm's study, and in line with its conclusions. In criticism of these, though surely not excessively so, it may be said that Hobsbawm's social bandit has become the favourite of those who would impute to the lower social classes – not only those of the time before the Enlightenment but even those of Antiquity – a hidden potential dynamism in the shape of some awareness of the way in which they were repressed and an active desire for violent and directed change in their personal fortunes and in the circumstances which determined the life of their class.[44]

With regard to contributions to Roman history on the theme of *latrones* which have followed in the wake of Hobsbawm and have taken his views into account, pride of place must go the works of Brent Shaw and Anton van Hooff. In 1984, in his 'Bandits in the Roman Empire', Shaw gave us a wide-ranging article, full of material and ideas, which may still be regarded as the basic work for any treatment of the subject. Shaw was able to exemplify or refine a number of his earlier ideas in two later pieces: a paper on 'The Bandit', which he wrote for a collection of essays – in Italian and German – on social types in the Roman period; and a study of 'Personal power in Josephus', in which he dealt with 'tyrants, bandits and kings' as directly associated categories.[45] I will refer to the second of these in Chapter 5.

In the first part of 'Bandits in the Roman Empire' (pp. 8–23), Shaw offers a summary review which points up the phenomenon of the *latro* as an everyday albeit varied manifestation of life in the Roman period. This will be more closely examined in Chapter 1 (pp. 17ff.).[46] The second part (pp. 24–52) is devoted to answering the questions (p. 24): 'Who became a bandit? And why? How did this peculiar form of social violence arise? And what is its significance as a mechanism of social and political definition in archaic states?' Strongly influenced in his methodology by the concept of the social bandit, Shaw gives particular attention to the last of these – the significance of the *latro* as 'a mechanism of social and political definition'. Earlier (p. 4) he defines *latrones* as 'men who threatened the social and moral order of the state by the use of private violence in pursuit of their aims'. As far as the Roman state was concerned, the bandit was (p. 23) 'a non-person'. Shaw, however, sees him not just as the expression of a destructive potential at the edge of society but rather (p. 8) as 'integral to the functioning of imperial society'. This is a straightforwardly positive evaluation of the *latro* as a component of the Roman social order, possessing his own social functions and therefore capable of being categorised as a component element of his society. In this respect Shaw compares bandits to slaves (p. 8). My own

findings lead me to agree with Shaw, but only partially. While Shaw sees the *latro* basically as a concrete social type, equally basically he seems to me to be an artefact of literary imagination.[47] As such, a product of contemporary perceptions, the figure of the *latro* indeed fills a social role. I trust that what I have said about Bulla Felix in the third section of this Introduction and my detailed study of his case in Chapter 6 justify my criticism of Shaw, and show the *latro* as a literary figure, a projection of social aspirations.

A few years after Shaw's 'Bandits', Anton van Hooff's 'Ancient robbers: reflections behind the facts' (1988) was published; it is derived from his 'Latrones famosi', published as early as 1982.[48] According to van Hooff, his researches 'attempt to describe ancient robbery in the terms of Hobsbawm's concept of "social banditry".[49] In this respect, my criticism of Hobsbawm may be extended to include van Hooff's contributions to the debate, insofar as he too regards what we are told about *latrones* as basically authentic.

This methodological problem occurs clearly in the following quotation from van Hooff's 'Ancient robbers': 'Sometimes the robbers of attested cases act in a "topical" way; they "authenticate" the topoi of ancient banditry.'[50] If the results of my studies of particular cases are correct, this statement needs to be amended by changing 'authenticate' to 'constitute'. Roman tradition labelled historical characters *latrones* and their deeds *latrocinia*, and to this end laid against them charges drawn from the repertoire of the bandit story. Apart from the problem which I see in the issue of the validity of the social bandit, van Hooff's 'Ancient robbers' systematically explores the term *latro* and offers fundamental perceptions for which I am here very grateful. According to van Hooff's categorisation, for the Romans, the term bandit represented: usually 'an evil'; 'a term of abuse', in the sense that will be considered in Chapter 4; a 'bringer of a *peripeteia*', i.e., an unforeseen but not unusual stroke of misfortune, examined in Chapter 1 (p. 19); and finally the figure of the 'respected robber' which, *inter alia*, is the main character of Chapter 2, concerning Viriatus, and Chapter 6, on Bulla Felix.

To conclude this survey of research, the most significant finding of what follows may be summarised as follows: the bandit, as encountered in the sources from the second century BC to the third century AD, should be seen not as a social type but as a literary convention.

1

REAL BANDITS

1 Introduction

This chapter deals with *latrones*, robbers or bandits, in the proper, legal, sense of the word: 'real' bandits. By contrast, all other sorts of *latrones*, dealt with in the following chapters, will reveal themselves as bandits in a figurative, metaphorical sense – 'specious' bandits. What all the latter have in common is that, as a result of involvement in political events, they were vilified as *latrones* by official or semi-official circles in Rome. However, the significance of the designation of different types of politically motivated agents as *latrones* becomes clear only after it has been established precisely what, and according to which contemporary criteria, a 'real' bandit was. The first task of this study is therefore to describe the state of real banditry within the Roman Empire.

As explained in the Introduction, it is not possible to study the phenomenon of *latrones* using statistical methods. For example, any attempt at a chronological presentation would require over-simplification and misrepresentation. The result would be an unfaithful approach to the characteristics of the various stages and regions of Roman history, which would in any case lead to such vapid conclusions as that political and social crises led to a rise in criminality. The questions posed must therefore be simple and precise: what was the role of robbers and bandits (in the sense of 'real' bandits) in the everyday life of the Roman Empire; how pressing was the threat that they posed; and how did their contemporaries perceive this danger?

In pursuing the answers to these questions we must proceed in several stages. First to be examined is what constituted a 'robber' in the opinion of Roman jurists. This is because the basic Roman understanding of the term 'robber', non-political or political, is rooted in the legal sources. Next to be assessed are the non-legal sources, as far as these permit generalisations about *latrones* in the life of the Roman Empire. Having looked at the measures which the Roman state took against *latrones*, I will then focus on a discrete group of texts concerning common crime in the life of a single generation in a single village of a Roman province. This narrowing of perspective allows

glimpses into apolitical, everyday petty criminality and, despite differences between regions and individuals, offers conclusions which permit some degree of generalisation. These will form a basis for dealing with the 'political robbers' of the following chapters.

2 *Latro*: the legal meaning of the term

The Roman legal sources offer the best means of understanding *latro* in the sense of 'real' robber or bandit. They deal with 'theft' as a criminal act in a variety of ways. It is best to start with them because of their considered and precise use of language, and because the metaphorical use of *latro* derives from the law.[1] I should stress that in what follows I attempt an explanation of the legal definition of *latro*, not a study of the crime of theft by violence.[2] What concerns me is simply what Roman jurists understood by *latro*, and what historical conclusions may be drawn from the legal material.

Modern criminal law usually defines the offence of 'robbery' as the removal of another's property by force.[3] In Roman law, however, from which most modern definitions derive, robbery was not defined as *latrocinium*, but as *rapina*. The contrasting term to *rapina* was *furtum*, 'theft', differentiated from robbery by the absence of *vis*, the use of violence.[4] However, although his offence was, strictly speaking, *rapina*, any person who involved himself in robbery could also be called a *latro*.[5] This depended on the circumstances of the crime, the consideration of which – taking into account its seriousness – led to understandable gradations which were also reflected in the degree of punishment. Immediately below the *latrones* were the *grassatores* – footpads; perhaps better translated in modern terms as 'muggers' – who were normally condemned to work in the mines or exiled to islands, but not executed. However, insofar as *grassatores* were also intent on armed robbery, they were considered 'almost the equal' of *latrones*.[6] The same fragment also states that the term *latro* is applicable only to the person who commits particularly serious robbery, and that such a person is differentiated from less serious robbers by his intention to commit armed robbery. In another source we find that *latrones* gather a *factio*, i.e., a band, around themselves, and that therefore their activities generally count as premeditated.[7]

Among the category of *latrones, latrones famosi* – 'infamous bandits' – are given particular prominence as particularly notorious representatives of their calling, to be hanged at the scene of their crimes or to be thrown to the beasts in the arena, as a deterrent to others and to gratify the victims' next of kin.[8] A pertinent remark in Seneca shows that this practice, noted by the Severan jurist Callistratus, corresponded with thinking that was already current in the early Principate.[9] From the time of Caligula we have the case of a certain Tetrinius. We know only that he was a *latro*. However, although he was certainly an unpolitical, 'real', robber, he may also have been one of the *famosi.* This derives from the story that the Roman audience in the arena

demanded that the emperor send in Tetrinius to fight as a gladiator. Caligula brusquely turned down the request, on the grounds that those who made it were themselves just like Tetrinius.[10] *Insignes latrones* and, with these, probably also *famosi latrones*, unlike their common colleagues in crime, enjoyed no possibility of appealing against their death sentence: it was held to be in the public interest to execute such criminals forthwith.[11] The same holds true for *seditionem concitatores* and *duces factionum* – 'instigators of revolts': for the purposes of this study it is interesting that top-class *latrones* were mentioned in the same breath as agitators and ringleaders of rebellions. The prosecution of *latrones*, given the threat they posed to public order, was the personal responsibility of provincial governors.[12] To proceed against a *latro* by means of trickery was not considered illegal as a *dolus malus* – 'entrapment', but rather praised as a *dolus bonus* – 'stratagem'.[13] This is clear from a case in Tacitus.[14] A *servus latro* – 'slave-bandit' – could be killed without penalty.[15] *Latrones* might also include those who committed the crimes of receiving stolen goods, evading sentence and aiding and abetting, as well as banditry proper.[16] On the other hand, from the time of Hadrian there was mitigation in the punishment of those who turned informer, and helped arrest accomplices.[17]

From these texts it can be concluded that though every *latro* was a robber, not every robber was a *latro.* In other words, the crime of robbery appears to have been a necessary, but not a sufficient, criterion for being a *latro*. *Latrones* are emphasised as a special category of robbers through their use of weapons (*vis armata*), through their forming of bands (*factiones, homines armati coactive*)[18] and through their aim of plunder (*spoliare*) with malice aforethought (*dolus malus*). In brief, therefore, *latrones* are those who, as armed brigands, commit particularly serious crimes.

The establishment of a distinction between *latrones* and ordinary robbers may be followed up with an opinion of the jurist Pomponius, which offers an even closer definition of the term *latro*: '"Enemies" are those who have made a formal declaration of war against us, or against whom we have so declared. The rest are either *latrones* or *praedones*.'[19] His declaration hinges on a conception of the *hostis* as an agent defined by his exclusivity. The exclusive characteristic of the *hostis* is his capacity to make a declaration of war that is valid under international law. By contrast, all other enemies of state are *latrones* or, synonymously, *praedones*. However, apart from their inability to make a public declaration of war, *latrones* are indistinguishable from *hostes*. In particular, as is shown in the concluding antithesis of Pomponius' opinion, *hostes* and *latrones* are linked by the common characteristic that they both wage war on the Roman state. But *hostes* are regular, and *latrones* irregular wartime enemies. As Theodor Mommsen commented, *latrones* are 'different from *hostes* only in political terms'.[20] However, this difference went beyond that of simple definition; it also had a particular judicial relevance, insofar as freemen could become the captives of either *latrones* or *hostes*. According to

common international legal agreement *captivi*, true prisoners of war, became slaves if no one ransomed them from the enemy – judicially as well as *de facto*. Thanks to the right of *postliminium*, after their return to Roman jurisdiction, such slaves automatically recovered their previous status as freemen.[21] Quite differently, those 'taken by bandits' (*a latrunculis obsessi*) remained legally free during their captivity, leaving their social and testamentary capacity entirely unimpaired and, after their return to physical liberty, making *postliminium* redundant. While these rules were devised with the captive in mind, they show indirectly that the *latro* enjoyed no recognition under international law.

So far, we have seen that in Roman legal thinking *latrocinium* meant serious banditry amounting to irregular warfare. If, according to legal terminology, '*latro*' was used only of those robbers whose activities were considered as amounting to irregular warfare against the Roman state, the impression might be given that every case of *latrocinium* had a political basis, and therefore that every *latro* should be classified as politically motivated. As a result, 'real robbers' ought not to be called *latrones*. However, Pomponius' *hostes-latrones* definition is unique in the strictness of its formulation, and is contradicted by a broader tradition. This is illustrated by a dedicatory inscription of the imperial period from the Italian region of Tuder (Todi). Those who set it up, two members of the town Sevirate, term it *infandum* ('abominable') *latrocinium* that a *scleratissimus servus publicus* ('wicked public slave') perpetrated a *defixio* by pinning the names of decurions of his region to gravestones and so cursing them.[22] As this single example reveals, *latrocinium* could generally mean just 'wrongdoing', and was chosen to give vent to strong emotions of disgust and loathing. In what follows, it will frequently be seen that occasionally not just 'real' robbers but also almost any variety of evildoers might be termed *latrones* in everyday speech and in literature.

3 The ubiquity of the *latro*

This section focuses on the extent to which *latrones* figured in the everyday life of different periods and regions of Roman history (regardless of the word's contextual meaning). To give us something to start from, I cite from an excellent textbook currently widely used in Germany, a relatively positive assessment of conditions under the Empire:

> The seas were safe. The fleets and armies protected traders and travellers from highwaymen and pirates. Banditry was not entirely wiped out, but it was no more prevalent than it is today, when – just like the Romans with their edifying novels – the modern citizen thinks of it as something happening in crime stories or in films, rather than as something which he or she has to confront personally.[23]

Whether this statement is an adequate assessment of contemporary conditions is another matter. As far as the ancient world is concerned, the description appears semi-idyllic, and reminds one of the praise that Velleius Paterculus, a great admirer of the Principate, heaped on the beneficial effect of Augustus' peace:

> The *pax Augusta*, which has spread to the regions of the east and of the west and to the bounds of the north and of the south, preserves every corner of the world safe from the fear of brigandage.[24]

Similarly euphoric attitudes, identical in tone, are to be found in other writers such as Seneca, Philo, Pliny the Elder, Epictetus, Plutarch, Aelius Aristides and Vegetius.[25] More could be cited but these would not add to the picture. Such statements are products of the acceptance of imperial peace propaganda by Roman authors. Even after making allowance for the exaggeration which was an indispensable component of the genre, the extent to which propaganda corresponded with reality cannot be determined with any degree of certainty. At least, one may suppose, the propaganda of the *pax Augusta* and of the early Principate derived significant credibility from association with long-held memories of the period of civil war which marked the fall of the Republic.[26] Compared with the conditions of this crisis, the stability created by the Principate must have seemed like the return of the Golden Age, especially for ordinary people.

On the other hand one cannot and should not deduce too rosy a view of individual living conditions in the high period of the *pax Romana* solely from specific references (or lack of them) to *latrones*. In this respect, more weight should be attached to recent catalogues of cases of unrest and revolt which occurred in the Roman Empire in the period from Augustus to Commodus, all of them among the lower classes of Italy and the provinces.[27] Excluded are incidents involving the circle of the emperor and the imperial aristocracy which, of course, also need to be taken into account in an assessment of the overall historical picture, and which fall within the lines of enquiry of this study. From all this one may deduce that even in the most peaceful phase of Roman history, the everyday life of ordinary people was far more at risk (from, *inter alia*, bandits) more often and to a greater extent than is usual in a modern industrial society. In my view, current textbooks are unreliable in this respect because they consider incidents of unrest as being only occasionally important and fail to see them as a constant phenomenon of normal life in the Roman world.[28]

In order to pursue just one aspect of these incidents, namely the bandit threat, I will now present evidence for, as Brent Shaw, put it, 'the ubiquity of banditry'.[29] The ubiquity of the *latro* can be deduced not only on commonsense grounds – bandits are to be found in every society – but also, with

regard to Rome, from a host of different pieces of information, which give us our first glimpse of how Roman society viewed its *latrones*.

We have already gained some impression of how frequently *latrones* figure in Roman legal sources. The constant involvement of the jurists in this area of legal debate is, in itself, probably an important indication of the ubiquity of banditry; and this same ubiquity may also be deduced from a specific legal axiom, relating to cases of liability. The legal authority Gaius gave it as his opinion that borrowed goods should, as a matter of principle, be treated with just the same care as a diligent *pater familias* would give to his own property. Exemption from liability should arise only in cases of unavoidable damage. By way of example of incidents resulting in unavoidable damage, Gaius cited: deaths of slaves in which the borrower had no hand, and could not have prevented; bandit or enemy raids, ambush by pirates, shipwreck, fire and the flight of trusted slaves.[30] Here, the bandit raid (*latronum incursus*) forms part of a list of possible catastrophes for which the borrower is not subject to liability, as long as he has otherwise sufficiently complied with his obligation of reasonable care. *Incursus latronum* is therefore interpreted as *vis maior – force majeure*, an act of God.[31] As a common legal principle, the exemption of borrowers or debtors from liability in the case of *incursus latronum* as *vis maior* was accepted from the classical period to the time of Justinian.[32] I cite just a couple of examples of the extent of its effect. A guardian was not responsible for the property of his ward if that property was destroyed by *incursus latronum*.[33] A slave was not considered to be *fugitivus* nor a soldier a deserter if *latrones* were the cause of their absence from their place of duty without official leave.[34]

Legal material may, to a certain extent, be regarded as reflecting how people actually lived during a specific period. With regard to the 'acts of God' mentioned above, the likelihood of this being the case is very high, since the same list of catastrophes was frequently repeated and applied to many different situations. Disasters that did not entail personal liability may therefore serve as a representative selection of typical calamities which inhabitants of the Roman Empire encountered in their everyday lives, including those involving *latrones*.[35]

The same conclusion may be drawn from texts of every genre. For Columella, storms and bandits were acts of God, in just the same way as fire and bandits were for Seneca, bandits, wild animals and fire for Plutarch, and hunger, thirst, cold, illness, bandits and wild animals for Eusebius of Caesarea.[36] Seneca, in particular, made much of *latrones* and *piratae* as instances of common calamity.[37] Further evidence for typical misfortunes comes from Lucian's journey in the Underworld. Here, those assembled are categorised according to the sort of violent deaths they suffered: those who fell in battle; suicides; failed pretenders; common murder victims; and, as a special category, the victims of bandits.[38] Christians who faced accusation before

Pliny the Younger when he was governor of the province of Pontus-Bithynia swore that it was precisely those who belonged to their community who made it their duty not to commit crimes. In a sort of litany, rehearsing what was apparently the current range of common offences, they named 'theft, banditry, adultery, breach of trust and failure to restore deposits'.[39] In a treatise on jealousy and envy, Cyprian, too, enumerated, for the purposes of comparison, typical evil deeds and evildoers. His choice almost exactly matches that of Pliny's accused Christians: the adulterer, the bandit, the robber, the perpetrator of deceit.[40] Such criminals and their crimes appear to have been chosen from the experience of everyday life, since only then could they have served as valid and illuminating comparisons for contemporary readers. With regard to the legal distinction between *latrones* and other, lesser, robbers, Cyprian's formulation is interesting terminologically: 'bandit' (*latro*) and 'robber' (*praedo*) figure as two separate types of criminal. They are clearly distinct from each other not only by virtue of what they are called but also in terms of what they are supposed to have done. The hallmark of the *latro* is murder (*homicidium*), that of the *praedo* merely the stealing of property.[41]

The relatively high number of people living as bandits in the Roman period may be seen in a remark by the physician, Galen, concerning the procurement of human corpses for dissection. At a pinch, he says, doctors could use the bodies of those condemned to death, especially in the arena, or those of bandits, which lay about unburied in the mountains.[42]

The impression of the ubiquity of *latrones* receives special confirmation from utterances of Roman authors concerning travel. According to the jurist Ulpian, the greatest risks of travelling were: being killed by *latrones*; being caught in the collapse of an inn; or being run over by a cart.[43] In the parable of the Good Samaritan, a man travelling from Jerusalem to Jericho is attacked by bandits. Half-dead, he lies at the roadside, ignored by all. Only a traveller from Samaria takes pity on the victim, bandages his wounds and takes him to an inn.[44] The instance of the person attacked by bandits was so much a part of everyday life that Jesus could generalise it as a paradigm of the man who needs the help of his neighbour. The apostle Paul, in his second letter to the Corinthians, looks back and summarises the troubles and dangers which he saw he had been exposed to: 'In journeyings often in perils of waters, in perils of robbers, in perils by my own countrymen. . . .'[45]

Pliny the Elder tells of dogs that had protected their owners while travelling. A nobleman called Vulcatius had been successfully defended by his dog against a footpad (*grassator*); the senator Caelius was shielded by his dog from armed attackers until the faithful beast had breathed its last.[46] Seneca knew that occasionally the appearance of a wild animal had caused *latrones* to abandon their victim.[47] (Very wisely, he does not suggest what benefit such an occurrence brought the victim!) Travellers who carried weapons for protection against bandits could themselves be taken for bandits because

of their arms.[48] According to Juvenal, the best defence against highway robbery was simply to travel with empty pockets:

> When you go on a night journey, though you may have only a few small treasures with you you'll take every stirring shadow, each moonlit reed for a sword or cudgel. But the empty-handed traveller whistles his way past any highwayman.[49]

Seneca expresses the same thought briefly and epigrammatically: 'If you are empty-handed, the highwayman passes you by; even along an infested road, the poor may travel in peace.'[50]

Epictetus, on the other hand, recommended against travellers' journeying alone, advising instead that they seek security in the entourages of the most important people they could find, preferably those belonging to public officials.[51] By these criteria, surely the ideal protector on a journey would have been Hadrian, who certainly travelled frequently with full pockets and with more than a dog to guard him. However, even he would not have been able to give a travelling companion the security that, according to Epictetus, might be expected of him and his peers. When the future emperor, at that time still a tribune of *Legio XXII Primigenia*, journeyed from Mainz to Cologne to bring Trajan news of the death of Nerva, he fell victim to a carefully planned attack on his carriage, and had to finish his journey on foot.[52] In 151 or 152, a similar misfortune befell M. Valerius Etruscus, *legatus exercitus Africani*, probably while travelling from the headquarters of *Legio III Augusta*. He was making for the coastal city of Saldae, for a meeting with T. Varius Clemens, procurator of Mauretania Caesariensis. He later described an unpleasant incident that happened to him en route: 'I set out, and on my way I suffered attack by *latrones*. Stripped and wounded, I escaped with my escort.'[53] Not even a high-ranking soldier travelling with an armed guard was safe from bandits.

Indirect indications of the danger that travellers faced from highwaymen may be won from study of what the Empire did to prevent or counter this threat. The topic has been so closely researched that all that is needed here is to run through its most important elements.[54] Augustus tackled the increase in armed robbery and banditry (explained explicitly, at least for Italy, as resulting from the civil wars of the late Republic[55]) by the systematic siting of highway police posts (*stationes*). Tiberius continued his predecessor's work in this respect.[56] In North Africa, Commodus ordered the construction of 'lookout towers for the protection of travellers'.[57] On the middle Danube, the same emperor fortified 'the whole bank with new towers and with garrisons posted to guard places which could be used for bandit attack'. The 'bandits' (*latrunculi*) whose 'crossings' were supposed to be interdicted by the *burgi*, probably came from the far side of the Danube, and may therefore

have been barbarian raiders.[58] In the third century the network of such police posts, collectively known as *stationes*, was extended so much that it covered all the main junctions of the imperial highways in the provinces.[59] However, travel does not appear to have become much safer as a result. According to Cyprian, the third-century 'Crisis' naturally led to a further increase in crime to such a degree that the roads were blocked by *latrones* and the seas infested with *praedones*, while all about the horrors of war prevailed.[60]

Among official countermeasures were, in the first place, the police. The governor of each province had overall responsibility for the fight against crime.[61] He delegated particular duties to different authorities, above all to the municipal police. We know of security personnel from regions of the Empire under various titles. The districts of Egypt appear to have had the most highly developed provincial police service; this will be discussed further below. In this respect, the towns and villages of the Roman West seem to have been very backward. At any rate, we have the least evidence from this region. A 'superintendent of counter-banditry measures' (*praefect*[*us*] | *arcend*(*is*) *latroc*[*in*(*is*)]) buried in Nyon, Switzerland, had one colleague with the same title in Bingen and another in Normandy.[62] Since this job title occurs in the same terms in three different places, it was probably the official designation of municipal police officers in the Gallo-German provinces. In Asia Minor the same function was served by *eirenarchoi*, *diogmitai* and various watchmen such as, for example the *orophylakes*, stationed in mountainous areas.[63] *Latrunculatores* are known of, but it is difficult to determine the parts of the Empire in which they were active.[64] We even know the names of some 'thief takers' who were, apparently, highly regarded and much in demand as experts in their field.[65] All named police personnel were employed by cities. In the countryside there was practically no formal policing apart, perhaps, from that which resulted from those serving in *stationes* and in military garrisons giving some thought to the security of the surrounding areas. Common deficiencies in the public security system are indirectly indicated by the existence of privately maintained estate security forces, whose members sometimes behaved as badly as the villains they were supposed to be chasing.[66] On the whole, the attitude of the Roman state to widespread, generally petty, crime may be characterised as one of helplessness. In those rare cases where official bodies were not content with crude repressive measures, but developed preventive measures for the limitation of crime, it is very difficult to make out how successful such ideas (which anyway appeared only now and then) might have been. Altogether, we know of four different methods that were used at various times to prevent crime: the disarming of civilians,[67] the building of roads to pacify unsettled regions,[68] the deliberate introduction of new populations[69] and military recruitment.[70]

Robbery on the high seas differs from highway robbery simply by means, not by motive. As a result, in Greek it was only very late that banditry on

land and banditry at sea were formally differentiated.[71] The *communis opinio* among ancient, as among modern authors was that the plague of piracy was wiped out by Pompey. However, we must understand that the 'piracy' that Pompey eradicated was not common plundering of ships at sea, but a naval force organised on paramilitary lines, controlling the sea lanes of the eastern Mediterranean and hiring out its services to warring parties of the late Hellenistic world, and in the end becoming a political power in its own right. Though this form of piracy may have disappeared forever after the war of 67 BC, small-scale non-political piracy had not, and persisted in the Mediterranean until modern times.[72]

Only a few years after Pompey's pirate war, the propraetor Flaccus had to answer in Rome to the charge of organising naval squadrons against pirates off the coast of Asia Minor without orders and despite the fact that no pirates existed there any more. His defending counsel made the very telling point that, although there were very probably still pirates, it was not fitting to discuss these in public since this diminished Pompey's fame.[73] In 55 BC, while Aulus Gabinius was governor of Syria, the coasts of Syria and Egypt suffered increasingly from attacks by pirates. The effects were so severe that the Syrians fell badly in arrears in paying their taxes.[74] In 43 BC, the inhabitants of Dyme, driven from their lands, turned to piracy and terrorised the Gulf of Patras.[75] In 35 BC, during Octavian's Illyrian campaign, punitive attacks were made on Melida (in the Adriatic) and Corfu as pirate bases. At the same time Octavian confiscated the ships of the Liburni, on the grounds that they too had similarly engaged in sea-borne banditry.[76] According to Cassius Dio, in the year AD 6 pirates were active in many parts of the Mediterranean region, but particularly around Sardinia. As a result, instead of senatorial governors, detachments of troops under equestrian commanders were dispatched to the island.[77] In AD 52, tribes of Cilicians known as Cietae created a stir by their raiding by land and sea.[78] At around the same time, Jewish freebooters seized Egyptian corn ships whose cargoes were bound for Rome.[79] In AD 69, a certain Anicetus, acting as avenger of King Polemon II of Pontus, deposed by Rome, engaged in pirate attacks along the coast of the Black Sea. His case will be examined in more detail in a later chapter.[80] To make his attacks Anicetus employed *camarae*, a type of vessel whose shallow draught made it particularly suited to piracy.[81] An anonymous text of the early Principate warns business travellers of pirates on the coasts of the Red Sea.[82] According to a fortune-teller, as long as the vessel was seaworthy and the time of the journey well chosen, the worst danger of the journey by sea from Rhodes to Rome was that of falling into the hands of pirates.[83] Under Hadrian, the harbour of Samos was considered a dangerous place because of pirates.[84] Around AD 170, Marcus Aurelius waged a naval war against the Costoboci, for plundering-raids into the Balkan provinces. At the same time, or shortly thereafter, Moorish pirates are found pillaging in Baetica.[85] From the time of Marcus Aurelius, signs of piracy – harbingers, then direct

symptoms, of imperial crisis – occur ever more frequently. Also, in comparison with attested cases of the preceding period, the extent of these incidents was so great that they precipitated political developments and military countermeasures, like Marcus Aurelius' naval operations noted above. The trend begins in the Severan period, though, as P. Hertz has recently shown, earlier research exaggerated its extent.[86] I will not pursue it here, since this list of cases is not meant to be a comprehensive collection of material. Rather my intention has been to show from a selection of evidence that even during that period of imperial history which was, according to the over-optimistic assessment of one modern historian of the Ancient World, citing the words of Edward Gibbon – 'the period during the history of the world during which the condition of the human race was most happy and prosperous'[87] – travellers by sea faced the danger of pirates just as frequently as travellers by land faced that of highwaymen. Plutarch was probably correct when he said that the only person who could live free from the fear of bandits was the one who stayed at home.[88]

And even the home was under threat from *latrones*. In Rome, during public shows when most inhabitants left their homes empty, Augustus set up watch stations throughout the city 'to prevent it falling a prey to footpads because of the few people who remained at home'.[89] Pliny the Elder tells us that, once upon a time, the *plebs urbana* used to simulate some view of greenery by hanging transparent pictures of gardens in their window openings, but that they had been forced to give up the illusion by an increase in burglary, instead securing their windows with shutters.[90]

Further evidence for the ubiquity of bandits is provided by the grave inscriptions of their victims. As Brent Shaw has pointed out, it is telling that a more or less uniform epigraphic formula was employed throughout the whole of the Roman Empire for death at the hands of bandits: *interfectus* or *interfecta a latronibus*.[91] This fate befell people of all social groups and ages. Even a gladiator, a survivor of four combats looking forward to victory in his fifth, fell victim to *latrones*.[92] At one place in the Julian Alps, which probably did not acquire the ill-omened name of *Scelerata* ('Badlands') without reason, a senior centurion (*princeps*) of *Legio XIII Gemina* was slain by *latrones*;[93] in Autun, the same fate befell a private of the Twenty-Second Legion. In Trier is buried a runner of the imperial post (*nuncius Augusti, velox pede cursor*), whose cause of death is given as 'entrapped by the trickery of bandits' (*deceptus fraude latronum*).[94] In Rome, the same thing happened to a man and his seven foster children (*alumni*).[95] The advice of Roman writers not to travel with valuables finds tragic confirmation in the case of a 10-year-old girl, murdered 'because of her jewellery' (*ornamentorum causa*).[96] There is an exception in a case where, of a woman killed by bandits (*interfecta* [*a lat*]*ro*[*nibus*]), it is also stated that she 'was avenged' (*et vindicata*).[97] However, this report of vengeance wreaked on the criminals offers scant comfort and is most unusual.

The fact that it was clearly an everyday occurrence to be killed by *latrones* was exploited, as a reasonably plausible cause of death, by no fewer than three Roman rulers as means of suppressing public interest in the fate of people with whom they had quarrelled and had secretly done away with. With this explanation, according to at least one of the two reports that have come down to us, Octavian sought to hoodwink public opinion as to the execution of the praetor Q. Gallius, which took place at his personal command in 43 BC.[98] Likewise, Commodus is supposed to have attempted to use the same trick to avoid drawing attention to himself after the disappearance of a prominent person.[99] Finally, Caracalla was also accused of trying to use the explanation that the person concerned had been killed by bandits to cover up his ordering of the murder of a certain Pompeianus, grandson of Marcus Aurelius.[100] There is, of course, no solid evidence for the historicity of any of these charges. However, this is less important for our purposes than the fact that Roman emperors (or Roman writers) could continue to deploy the story of death by bandits as a likely explanation for the sudden disappearance of individuals.

The material presented here provides a representative cross-section of evidence concerning *latrones*, *praedones*, *grassatores* and *piratae*. In order to demonstrate the permanent threat posed by banditry, I have deliberately concentrated on the Early and High Empire, i.e., I have taken as examples specifically those periods which are usually considered to be the high point of Roman history. Such very general evidence says virtually nothing about rates of delinquency, regional variations or the bandits themselves – their social background, the reasons which made them choose the bandit life and what happened to them. This deficiency can be compensated for, at least in part, by looking at typical occurrences of everyday, petty lawbreaking in one province of the Roman Empire.

4 Everyday crime in Roman Egypt

Egypt offers us the only chance of investigating everyday crimes, thanks to the survival of papyrological evidence. There is the problem of the extent to which conclusions drawn from the Egyptian material are applicable to other regions of the Roman Empire; but the alternative is simply to ignore this material completely, and this raises its own problems.

Egyptian evidence of lawbreaking in the Roman period, including that of policing bodies, has long been the subject of extensive collation and analysis.[101] The results of this work help us to select from the mass of source material just that small group of texts which appear particularly suitable for the purposes of this investigation, namely the description of typical forms of *latrocinium*. In line with the main topic of this chapter, I have selected a discrete and particularly illuminating group of texts concerning 'real' thieves and bandits. They come largely from the reign of Tiberius when, in a passage

already cited *verbatim*, the historian Velleius Paterculus poured out praise of the *pax Augusta*.[102] They serve to illustrate the social and economic contexts of everyday criminality in Roman Egypt.

The texts comprise 29 papyri, almost all in good condition, kept in the John Rylands Library, University of Manchester.[103] All of them come from Euhemeria, a village in the Fayum Oasis, in the Arsinöite nome. Written in the period AD 28–42, they can be described, in modern terms, as 'sworn depositions'. They were made by inhabitants of Euhemeria who had fallen victim to theft and robbery. Most sheets record the identity of the victim of the crime, his or her profession and social status, what was taken, the circumstances of the crime and, in a number of cases, who was suspected of having carried it out.

Given the poor state of the sources, already described, texts like these are a godsend for the investigation of lawbreaking in the Roman period. If only in respect of the close community of a single provincial village, and of an equally narrow time span, we can resolve a list of socio-historical questions that would otherwise remain unanswered. There are problems. Since, of course, we have no idea of the population of Euhemeria under Tiberius, nor of the total number of charges laid there, we can make no reliable statements about the level of crime. In addition, as already touched upon, the possibility of our drawing conclusions from the papyri as valid for other imperial provinces is restricted by various factors, and these will become evident in what follows. Finally, in the ancient literature, quite apart from its undeniable idiosyncrasies in practically every aspect of public and private life, Egypt was also seen as a land whose inhabitants were characterised by a decidedly high inclination to commit crime.

> Now the men of Egypt are, as a rule, somewhat swarthy and dark of complexion, and rather gloomy-looking, slender and hardy, excitable in all their movements, quarrelsome, and unwilling to take no for an answer. Any one of them would blush if he did not, in consequence of refusing tribute, show many lashes on his body; and as yet it has been possible to find no torture cruel enough to compel a hardened robber of that region against his will to reveal his own name.[104]

Ammianus' scathing psychological profile of an entire people, clearly corresponding to a widely held view in the Roman Empire,[105] is, of course, just part of an established range of national caricatures.[106] However, prejudices like this, anchored so deeply in the (sub-)conscious, often have at least some justification. In the case of Egypt, this may have been the numerous disturbances and rebellions – justified or not and whatever their cause – for which the land on the Nile and, especially, its capital, Alexandria, became notorious under Roman rule.

To give a sense of the character of the group as a whole, I cite in full a text from AD 29 (no. 127).

> To Serapion, superintendent of police, from Sentheus son of Anoubion, of the village of Dionysias, dwelling in the sandy quarter of the farmstead of Publius Petronius and Gaius Petronius. In the night before the seventeenth of the present month of Sebastus of the sixteenth year of Tiberius Caesar Augustus, as I was sleeping at the door of the house which I inhabit in the farmstead, certain individuals making a thievish incursion undermined by way of the beer shop the northern wall of the house, and having gained admission they carried off such property of mine of which a list is appended. I suspect that Papontos, formerly brewer, from Talei and Felicion son of Papais were the perpetrators. Wherefore I request you to order the archephodos of Euhemeria to inquire into the matter and dispatch the guilty persons to you for the consequent punishment. Farewell. The list is: 120 silver drachmas, received on account of an undertaking from Claudius, freedman of Livia, daughter of Drusus Caesar, which I kept in a casket; a preparation of woof and warp for a cloak worth 18 silver drachmas; a small wooden box in which were 4 silver drachmas; 2 drinking cups of tin; a shovel; an axe; a mattock; a belt in which were 4 copper drachmas; a flask in which was a half-chous of oil; a cook's kneading-trough; a basket in which were 50 loaves, 25 pairs.
>
> Sentheus, aged 30, with a scar on the left wrist.

I will not go into the particular details of this text, the purpose of which is simply to give an immediate overall impression of the character of the statements. Rather, I will proceed to a systematic description of the distinguishing characteristics of the material as a whole. Worthy of note in the first instance is the formulaic uniformity of all the depositions. Bureaucracy had a long tradition in Egypt, going back to the time of the pharaohs, and under the Ptolemies it reached a level unique among ancient states. Rome at first left the administration of Egypt much as it had been. This can be seen even in the case of the officials whose concern was the prosecution of the crimes notified in our texts. In seven cases the petitions are directed towards the *strategoi* of the nome;[107] 20 notifications, i.e., by far the greatest proportion, were presented to an official bearing the title *epistates phylakiton*. The latter is known from the Ptolemaic period as the regional superintendent of police, and was another of those posts that continued in the first generations of Roman rule in Egypt.[108] As appears, *inter alia*, from Text no. 125, his bureau was responsible for police matters throughout the nome.[109]

The wording of the petition which closes each deposition gives the impression that the *strategos* or the *epistates phylakiton* was responsible for both

the detection and sentencing of miscreants, i.e., that they acted as both policemen and judges. This could have happened in the case of petty crimes, like the ones examined here, but the basics of the supposition are disputed.[110] For detection the superintendent of police could call upon subordinate officials. Text no. 127, quoted in full above, mentions an *archephodos*, to whom the *epistates phylakiton*, as his superior, delegates the task of apprehending the guilty parties.[111] In another instance (no. 142), the recipient is a centurion and the wording of the petition for further action differs from the usual pattern. However, since we know that in later periods military personnel, especially centurions, were entrusted with police work as a matter of course, what we have here is an indication of the gradual transformation of the Ptolemaic administrative system under Rome.[112]

The reported crimes allow a glimpse into the social and economic conditions obtaining in rural Egypt under the early Principate. Almost half the cases of attested crime concern theft of animals, wheat and field-produce. Twice we hear of a pig being taken (nos. 124, 140), once a female ass (no. 145). There are three cases in which hay was stolen (nos. 129, 135, 142), on more than one occasion in such amounts that sumpter-mules were used to carry it off. One victim complains about the repeated stripping of his olive trees (no. 130); and illegal grazing by shepherds on pasturelands that were not their property forms the substance of nine statements (nos. 126, 131–2; 138; 141; 143; 147; 149; 152).

The kinds of thing that went on in this area of crime are well known from Roman legal texts – from the Twelve Tables (8.12ff.) to imperial rescripts of the Late Empire. In unsophisticated peasant communities the typical offence was *abigeatus*, cattle thieving. For example, Hadrian instructed the provincial council of Baetica in a rescript that *abigei*, 'reivers', should be punished 'with all severity' (*durissime*), i.e., even with death by execution (*ad gladium*), since this sort of crime was frequent in the region.[113] In 364, Valentinian I forbade all inhabitants of southern Italy who were not members of the *ordines* (i.e., not formally designated as 'respectable' members of society) or of the armed forces from owning horses or other riding animals. Even the possession of a horse, so he declared in the preamble, would constitute grounds for suspicion of cattle theft and justify punishment as an *abigeus*: the typical over-reaction of a state that was over-reaching itself by its involvement with social matters.[114]

According to the depositions, crimes in Euhemeria were mostly committed *leistrikoi tropoi*, 'bandit fashion'. This is a standard wording, frequently employed, that says nothing about the use of violence. As already explained, in Roman as in modern law the crime of robbery occurred only when removal of property not belonging to the perpetrator was accompanied by violence against the person. The Roman jurist, Ulpian, declared that there was a clear distinction between robbery and theft in that, while anyone could steal without coercion, robbery was always associated with the use

of force.[115] The suspiciously frequent use of the phrase *leistrikoi tropoi* in Euhemeria therefore leads to the reasonable supposition that the usage was not always employed in a strictly juristic sense, but was sometimes applied 'non-technically', as an expression of outrage by the victim.

I turn now to a review of what was stolen in Euhemeria, and to its worth. Mention has already been made of pigs, hay, olives, wheat, bread and oil. In addition, we have evidence for the theft of household goods, such as cups, bowls and baskets; tools, such as sickles, rakes and shovels; items of clothing, such as cloaks; and even basic or partially processed goods for the production of textiles, like wool and weaving threads. The 17 cases that fall under this heading concern consumer goods or objects that were needed for everyday use. In 14 cases mention is made of the theft of money or valuables, or both. Gold and silver jewellery goes missing only twice. In 10 cases sums of money are registered as having been stolen, comprising amounts between 40 and 200 drachmas. As we can deduce from Texts nos. 127 and 138, the two largest amounts, of 200 and 120 drachmas respectively, need not be regarded as the private property of the complainants. The same may hold true of most of the other cases in which money was stolen. We are probably dealing with business funds, entrusted to the victims for the purchase of goods or for other commercial purposes.

These statements as to number, volume and value of stolen items are generally very modest. We may be fairly certain that personal enrichment through the sale of stolen property could not have been a major motive in such crimes. Most thefts were probably just to meet personal requirements. All these cases belong in the category of 'theft and robbery from need', occasionally mentioned in the literature of the imperial period as symptomatic of the living conditions of the lower orders.[116]

Examination of the perpetrators yields further conclusions concerning the social milieu. In at least 19 cases complainants were able to give information as to the identity of those responsible. In only nine instances are charges made against a person or persons unknown; in such circumstances it is usually simply declared that someone has made off with something *leistrikoi tropoi*. The significant finding, that in two-thirds of all cases perpetrators and victims were known to each other, hardly needs pointing out. As a form of social control, personal acquaintanceship raises the threshold of people's readiness to commit crime – higher, at any rate, than the level achieved by the communal anonymity of city life. This confirms the assumption that most of the crimes recorded as having been committed in Euhemeria were motivated by economic need. The findings from Euhemeria are fully consistent with those of H.-J. Drexhage from throughout Egypt. His general conclusion was that miscreants and victims came from the same social classes as each other.[117]

Looking again at the 19 cases in which the complainants could say precisely whom they suspected of having carried out the crimes, we find that

13 statements specify the occupations of the guilty parties. Among these, shepherds (*pastores/poimenai*), mentioned nine times, form the largest group. Throughout the Roman Empire, and also particularly in Egypt, shepherds were notorious as ne'er-do-wells, implicated in both petty and serious crime. The Bukoloi, bandit shepherds of the marshes of the Nile delta, provided Heliodorus' *Aethiopica* with the setting for many a vivid incident;[118] and, under Marcus Aurelius, shepherds also find mention in historical works in connection with an uprising, examined further below.[119] The remaining references to the occupations of likely perpetrators name a builder, a gatekeeper of the village of Euhemeria and two brewers. The victims display a similar cross-section of mainly rural callings, and so belong, it should again be stressed, to the same social level as those accused.

The fact that women took part in only four of the crimes registered by the depositions speaks for itself. Perhaps the most spectacular case in this respect (no. 124) took place in the public baths at Euhemeria. It was there that Aplounos, wife of a certain Hippalos, and her mother, Thermis, were violently assaulted by two women and two men, all named. Battered by blows all over their bodies, and robbed, amongst other things, of their earrings and a necklace, the two ladies eventually had to seek refuge under a bed. Bodily harm as an accompaniment to the crimes recorded occurs in only six cases, but it is striking that all of these took place in the period 37–40 BC Whatever the significance of the fact that violence against the person is confined more or less to the reign of Caligula, injuries were usually sustained not as part of the committing of the crime, but only when a victim resorted to self-help by confronting a suspect. Let us take, for example, the deposition of the slave, Ision (no. 144).

> On the second day of this month of Pauni, in the second year of the reign of Gaius Caesar Augustus Germanicus, I came to Euhemeria in the district of Themistes on account of unfinished business. I started a conversation with Onnophris, son of Silbon, an inhabitant of the village, about a charge that I had brought against him. Thereupon he began a violent and disgraceful assault on me, and mishandled me shamefully. In the course of the struggle I lost a writing desk and 60 silver drachmas. In addition, he then had the effrontery to bring baseless charges against me.

Apart from the fact that this slave could move relatively freely in society, which was not uncommon in servile life in Roman Egypt,[120] this case draws our attention to the remarkable circumstance that a slave might, independently of his master, be in direct contact with the criminal authorities and seek justice in law. As far as one can judge from the usual criteria for unfree status (i.e., specific identification as slaves, lack of a patronym), slaves are not mentioned anywhere else in the police records from Euhemeria, either as

perpetrators or victims. Most of the persons named are called by patronym, and so may be identified as freeborn. This is hardly surprising. It has been estimated that the number of slaves in Roman imperial Egypt was relatively small. The evidence from Euhemeria supports this generalisation: the social spectrum of the circle of people found in depositions allows one to conclude that slavery did not play a significant role in the economic activity of the place.

I can now summarise the common features of the material from Euhemeria. Without exception, the offences registered there were just part of the petty criminality of everyday life in a rural community. Perpetrators and victims came from the same level in society, and in most cases were known to each other. The felons were therefore not people on the margin, but at the heart of the rural population. The sort of items that were stolen or robbed scarcely suggests the involvement of professional receivers; rather they helped opportunistic thieves to improve slightly their own living conditions. Such criminality, occurring within so close a community – both socially and topographically – is explicable only in terms of overwhelming local poverty. The insights obtained by way of example at Euhemeria are confirmed by Egyptian material from other periods and places, and even relate to other types of crime, including to organised banditry.[121] It is worth emphasising that these texts also come not from the period of the third-century 'Crisis', but from that of the *pax Augusta*.

5 Conclusion

Sufficient evidence from a wide variety of source types has been presented in this chapter to demonstrate 'the ubiquity of the bandit' in the Roman world. Insofar as this cross-section, obtained by random sampling, allows for generalisation, it would seem that crime, albeit exercised on a small scale, was a force that shaped the events of everyday life.

The wide distribution of the material permits this conclusion to be applied to all periods and places of Roman history. Public authorities were unable either effectively to prevent crime or, as a matter of course, to successfully prosecute the wrongdoers. To simply ascribe this to an almost totally underdeveloped police service would be excessively anachronistic. To give any sort of priority to the combating of everyday petty crime would have been as alien to the thinking of the Roman state as it would have far exceeded its resources. Such means as were available were fully committed to military tasks necessitated by the waging of war. In noting the high level of crime even in the happiest times of the Principate, one should take into consideration the fact that the majority of the urban and rural population, lived in chronic poverty.[122] If, in absolute terms, we have relatively little evidence for poverty and petty criminality, this is just an indication of the commonness of phenomena which aroused no particular interest in anyone,

with the result that even ancient writers referred to them only from time to time. The point at which a Roman began to speak of social disorder was clearly much higher than might be true of a person today.

The ubiquity of banditry cannot be expressed in statistical terms. However, to demonstrate it we need not resort to statistics. On the other hand, once we regard it as demonstrated, we must not overestimate its effect. Most people did not fall victim to bandits. However, the likelihood of suffering this misfortune was high. For the people of the Empire, the bandit was probably not so much a physical threat as a psychological one, a symptom of anxiety. People lived in open or hidden fear of the bandit.[123] According to Velleius Paterculus, in a passage already much cited here, thanks to the *pax Augusta* every inhabitant of the Roman Empire, even those in the most distant regions, needed no longer fear attack by bandits (*metus latrociniorum*). This was propaganda. It was part of the standard repertoire of the propaganda of the Roman ruler, and the more it emphasised *pax, securitas* and other endlessly lauded blessings of human existence, the more it suggested how bad these actually were.[124]

In the next chapter I discuss 'figurative' *latrones,* investigating various types and looking at the picture presented by Roman authors. The findings of this chapter produce an important supposition, i.e., in characterising people as 'bandits, rebels, rivals and avengers', the ubiquity of the bandit allowed writers recourse to a motif that provoked a very lively response in their readers. This partly explains why the bandit motif was so popular and why it was extended to so many and varied categories of offender.

2

GUERRILLA LEADERS AS *LATRONES*

Viriatus and Tacfarinas

1 Introduction

This chapter deals with a type of 'bandit' found in the context of political and military resistance to Roman rule: the rebel.[1] This type comprises certain leaders of native resistance movements against Rome. Such opposition is characteristic of both a limited phase and a restricted area of Roman history. The period of native wars of resistance begins at the height of the creation of the Empire in the second century BC and ends during the early Principate with the general completion of the Romanisation of the conquered regions. About this time, the last generations of provincials who had been born before the Roman conquest, or who had at least inherited and maintained ideals of freedom and independence from the time of the occupation of their homelands died out. Furthermore, by the end of the first century AD Roman provincial rule had assumed a form which allowed it to become at least more tolerable to its subjects. With regard to geography, the type of native resistance examined here remained specific to the Roman West. The inhabitants of the provinces of the Hellenistic East had had much longer to become accustomed to life under the rule of a hegemonic power than those of parts of Gaul, Britain, Pannonia, Dalmatia, Spain and North Africa.

The Romans did not designate or represent every leader of a native resistance movement a *latro*. For example, Vercingetorix, Bato, Arminius, Boudicca and Julius Civilis all escaped being labelled *latrones*. I will attempt to explain why below. On the other hand, when resistance leaders such as Viriatus and Tacfarinas – my next subjects – appear in the Roman sources as 'bandits', the insinuation is not necessarily wholly pejorative. So why were they 'bandits'?

2 Antecedents of the war against Viriatus

In the middle of the second century BC shortage of land, overpopulation and the disruption of property rights led to population movement within Lusitania

in the western part of the Iberian peninsula.[2] As all such movements, however justified their cause, manifested themselves as warlike invasions, in the course of the Lusitanian migrations the Roman province of Hispania Ulterior suffered looting and plundering. At the same time the Roman Senate had determined to return to a more offensive foreign policy.[3] The reasons for this change were very basic, and had nothing directly to do with the situation in Spain. The *patres* were seized by the feeling that they should do something to strengthen morality in their own ranks and to combat a weakening of military discipline. At that time, it could still not be ruled out that the latent conflict with Carthage might soon flare up again as open war. The Iberian peninsula was the likely battle ground; and here the attacks by Lusitanian tribes provided sufficient and, happily, legitimate grounds for military activity in the shape of reprisals.

In 151 BC Servius Sulpicius Galba, at that time praetor of the province of Hispania Ulterior, received envoys from the Lusitanians who announced their wish to extend their peace agreement with Rome. Galba assured the envoys of his appreciation of the position in which their people found themselves forced by poverty to turn to banditry. According to Appian, he declared hypocritically: 'The infertility of the earth and your own poverty compel you to do such a thing. I, however, will give my poor friends good land and settle them in a fertile region, in three groups.'[4] The Lusitanians, acting in good faith, gathered in three groups, laid down their weapons voluntarily as ordered, and were then butchered at Galba's command.[5] The massacre contributed significantly to an escalation of the war, which ended only in 133 BC with the fall of Numantia.

Among the few survivors of the massacre was Viriatus, destined not many years later to lead Lusitanian resistance against Rome. Without doubt, his deepest motive was to exact revenge for Galba's perfidious breach of trust. Viriatus appears in Hobsbawm's terms as the 'noble bandit' righting a wrong.[6] That this is not an anachronism, imposed implausibly upon ancient conditions is confirmed by a late Roman historian, who characterised Viriatus as 'the champion of Spain against Rome'.[7] This deferential judgement brings to mind a well-known phrase of Tacitus, which shows appreciation for Arminius' personal qualities as 'without doubt, the liberator of Germany'.[8] In *adsertor* and *liberator*, two unreservedly positive terms denoting a person who delivers others from a condition of arbitrarily curtailed freedom, we can clearly detect the notion of 'righting a wrong'. What distinguished Viriatus from Arminius was success which the latter won but the former eventually lost.

For almost nine years, from 147 to 139 BC, Viriatus, as leader of the resistance movement of Lusitanian and Celtiberian tribes achieved legendary fame by his successful generalship. To Spanish and German nationalists of the nineteenth and early twentieth centuries he ranked with Vercingetorix, Arminius, Tacfarinas and Decebalus as a symbolic figure of liberation.

However, this dazzling picture of man-become-hero is no recent product of modern preconception but rather one of ancient historiography. Roman writers were fascinated by Viriatus as a worthy foe. This was remarkable given the costly defeats that he as leader of a barbarian people inflicted on Rome over many years. Viriatus was, of course, a *latro*, and for two very basic reasons – his origins and the guerrilla tactics of which he was master and which the Romans called *latrocinium*. Nonetheless, the fact that all sources call him a *latro* in no way contradicts the respect accorded to him by the very same writers. For Viriatus embodies the 'noble bandit', a type which also existed in the Roman world, firmly rooted in imagination if not in reality.

In this respect, particular attention should be given to Viriatus' personality – not so much the real one as the literary one presented by the sources as characteristic of the 'noble robber'. I will show that Viriatus was not called a 'noble' bandit because he himself set out to become one: he was depicted as one by our sources. In all cases where Roman writers paid especial attention to bandits, they accorded the latter a particular function according to their historiographical preconceptions. Viriatus was specifically selected as the embodiment of early Roman virtues, to be contrasted with Roman commanders regarded as self-seeking and untrustworthy representatives of the decadent senatorial oligarchy. As a 'noble' bandit, Viriatus both challenged such people and could be seen as their exact opposite.[9]

Thanks to authors from the late Republic to the late Empire, we are relatively well informed about what happened.[10] The two most important sources for Viriatus, the accounts of Polybius and Posidonius, are lost, but scholars are sure that the essentials of the picture given of Viriatus and the events in which he took part by writers of later periods derive from these two authors, who were near contemporaries. The most detailed extant description of what happened is a section of Appian's history of the Iberian peninsula. This can be supplemented by fragmentary reports from the works of Diodorus Siculus, Livy (in the summary given in the *Periochae*), Florus and Cassius Dio. Other scattered references are found in various authors from Cicero to Orosius. This survey reveals how much and how varied was the attention accorded to Viriatus in the Roman period as an historical figure and as a model character.[11] Just as much notice has been given to him in modern studies. The work of Z.W. Rubinsohn, already cited, offers a painstaking survey of research on the topic since the nineteenth century and it would be excessive for me to duplicate it here.[12] I draw attention, therefore, to only the most important publications, i.e., those of A. Schulten, H.G. Gundel, H. Simon and, more recently, J.S. Richardson.[13]

3 Viriatus as herdsman (*pastor*) and *latro*

Viriatus grew up in the mountainous region of Lusitania. The basic living conditions of the area, determined by its natural features, severely stunted

the potential of its inhabitants.[14] Viriatus became a herdsman and a hunter more or less automatically and so, equally through no choice of his own, a bandit.[15]

In the Roman period, herdsmen were traditionally regarded as bandits and troublemakers (usually specifically as cattle thieves[16]). Their reputation for this dated back to the second century BC when significant uprisings, from the *coniuratio pastorum* (connected with the Bacchanalian scandal)[17] to the Sicilian slave wars,[18] were disturbingly linked with herdsmen. *Pastores* maintained their bad reputation into the later imperial period. Two particular herdsmen who suffered from this taint were the emperors Maximinus Thrax and Maximinus Daia. The first, according to his biographer, was a herdsman and a leader of a band of young men in his youth, who waylaid bandits and protected his own people from attacks.[19] The *latrones* the later emperor ambushed will have been little different from him and his gang: both sides probably regarded each other as bandits. In the context of a primitive pastoral society, into which the source tradition sets the young Maximinus, life revolved around cattle raiding and its prevention. The rise of Maximinus Daia is depicted in similar terms. A contemporary hostile to him as emperor claimed that Maximinus had only recently been snatched from his cattle herds and from the woods and then promoted from soldier to officer to military tribune and finally to Caesar. This explained his poor rule as emperor: how else could it have turned out when a herdsman was given responsibility not for animals but for soldiers?[20] In both cases, emphasis on their pastoral origins served as a means of defaming 'semi-barbarians' on the imperial throne.[21]

The *topos* of *pastor* did not have exclusively negative resonances. It was ambiguous and could without raising eyebrows also conjure up romantic associations, especially when set in the mythical past. Similarly, herdsmen and bandits were more or less synonymous. The herder of myth was, however, allowed his banditry as a legitimate means of earning a crust.[22] Herdsmen of this sort were held to be strong, frugal, uncorrupted, upright and independent; in short, they were pure of character.[23] *Pastor* embodied a 'noble savagery'[24] as represented in the Roman tradition in particular by Romulus;[25] but not only by him: 'of the ancients the most illustrious were all shepherds'.[26] In the case of Viriatus, the bandit herdsman, it was the positive Romulus-style associations that soon predominated. By the time of the Principate, at the latest, the positive associations had entirely suppressed the negative ones, as is shown by the equating of Viriatus with Romulus by an historian of the imperial period.[27]

'Herdsman, huntsman, bandit, general' (*pastor, venator, latro, dux*), the various stages of Viriatus' career as recorded, without exception, by various authors, appear to be ordered not so much chronologically as causally.[28] Other 'bandits' of the Roman period enjoyed a similar progression. In a telling passage Florus summarises the career of Spartacus the slave leader:

'Nor were they refused by the man who, from being a Thracian mercenary had become a soldier, a deserter, then a highwayman, and finally, thanks to his strength, a gladiator.'[29] Spartacus' *miles, desertor, latro, gladiator* correspond with the *venator, latro, dux, imperator* that the same writer attributes to Viriatus.[30] What distinguishes their careers are the opposing directions taken by each man – Viriatus towards good and Spartacus towards evil. The careers of Tacfarinas, Gannascus and Maternus also took the wrong turn. All sank from Roman soldier, to deserter, to common bandit.[31] The difference between them and Viriatus was that for them the status of *latro* was not the beginning of something better but rather the culmination of a criminal career. This disparity in estimation, i.e., in the case of Viriatus the emphasis on a man on his way up, in that of Spartacus (by way of example) on someone on his way down, was determined by their respective aims. A war of liberation against corrupt Roman generals could, looking back from the imperial period, be very much pointed up as a 'good example' (*exemplum bonum*). By contrast, even by the time of Florus, leadership of a slave revolt could not be forgiven. But Florus was not the only Roman writer who was reminded of Spartacus by Viriatus. Ammianus Marcellinus made the same connection, and this demonstrates the constancy of such chains of thought over time. For Ammianus, Viriatus and Spartacus were men of whom Fortune decreed that they should humble the most illustrious Romans of their day and force them to clasp their knees.[32]

4 Viriatus as barbarian and leader of a guerrilla war

That the majority of ancient authors believed that they did justice to the personality of Viriatus by terming him, without prejudice, *latro* or *leistarchos* ('bandit leader')[33] followed from the coincidence of several distinguishing qualities, of which his pastoral origin was but one. What is more, in his person Viriatus embodied wider connotations of the word *latro*: for the Romans, he was a *latro* by being both a representative of a barbarian foe and a guerrilla leader.

These two aspects of the term 'bandit' are not far apart, as can be particularly demonstrated by reference to the Iberian peninsula. Its inhabitants, especially the Lusitanians, struck Roman observers as a 'a warrior race, accustomed from childhood to banditry'.[34] Sallust, cited here, surely did not just mean that from their youth Spanish warriors learned to be bandits, but that the acts of robbery that they committed as youths turned them into warriors especially suited to guerrilla warfare. Strabo illustrates Sallust's general observation by ethnographic details, which testify to his admiration of the 'noble savagery' of the Iberians, of their courage in battle and of their skill in handling weapons, as well as to his misunderstanding of cultural difference, seen in his simultaneous contempt for their 'barbarous customs'.[35] Like the Lusitanians, barbarians were judged to be *latrones* because they lived

from banditry; because they were generally different in culture and, by virtue of this difference, alien; and because, as military enemies of Rome lacking regular commanders, they threw themselves into guerrilla warfare – a manner of fighting that the Roman army, like all conventional armies, dreaded. The undifferentiated use of the term *latro*/*latrocinium* to describe two related yet so different aspects of the lifestyle of a foreign people – banditry and irregular combat – indicates Rome's lack of appreciation of the 'difference' of the 'Other'.

Bandit raids, as practised by Viriatus while growing up, were, contrary to Roman prejudice, not simply the expression of lawless gangsterism in a primitive society. To embark on banditry in youth was a sign of a young male's participation in a phase of warrior training and it strengthened his manly virtues and increased his capacity for great deeds. A successful period as a bandit was a prerequisite for initiation as a warrior.[36] Diodorus noted this practice among the Lusitanians and described it in detail:

> And a peculiar practice obtains among the Iberians and particularly among the Lusitanians; for when their young men come to the bloom of their physical strength, those who are the very poorest among them in worldly goods and yet excel in vigour of body and daring equip themselves with no more than valour and arms and gather in the mountain fastnesses, where they form into bands of considerable size and then descend upon Iberia and collect wealth from their pillaging. And this brigandage they continually practise in a spirit of complete disdain; for using as they do light arms and being altogether nimble and swift, they are a most difficult people for other men to subdue. And, speaking generally, they consider the fastnesses and crags of the mountains to be their native land and to these places, which large and heavily equipped armies find hard to traverse, they flee for refuge. Consequently, although the Romans in their frequent campaigns against the Lusitanians rid them of their spirit of disdain, they were nevertheless unable, often as they eagerly set about it, to put a complete end to their plundering.[37]

Viriatus could have been the model for the type of young man – from humble circumstances but by virtue of his background endowed with strength, spirit, speed and intelligence – whom Diodorus here describes so sympathetically. In the admission that, down to his own day, the Roman authorities were incapable of putting an end to this sort of banditry resonates his admiration for the uncorrupted character – an admiration increased by his conscious comparison of barbarian *virtus* and excessive Roman refinement. Anyone who had in his youth been the leader of a robber band in the Iberian peninsula had learned what was required for mighty deeds in war. Viriatus shared this qualification with no less a person than Hannibal. According to

Diodorus, among the early stages of the career of the greatest of all Carthaginian commanders was his creation and leadership of a band of over 100 vigorous and daring young men, who undertook profitable plundering raids in Iberia.[38] In the last stage of his career Viriatus, like Hannibal, was able to emerge as an honourable adversary of Rome and so, again like Hannibal, to fulfil a higher destiny. Later, an even more important personality, this time a Roman, was supposed to have embarked upon the same route to manhood as Hannibal and Viriatus: Sextus Pompeius, who, after the premature death of his father, was said to have practised banditry in Spain.[39]

As I have said, *latro* also signifies 'guerrilla fighter', especially the leader of a guerrilla or resistance movement. In this respect, too, Viriatus, as acknowledged master of guerrilla warfare, became the model. I will discuss the characteristics of body, soul and personality which suited him for the role of guerrilla leader in a review of the ancient sources and will not pursue them further here. As far as this study is concerned, there is also no need to describe Viriatus' tactics – with their ambushes, feints and other cunning ploys – in any detail. Much has already been published on this topic.[40] What matters is the terminology according to which Viriatus' manner of fighting was termed *latrocinium* and according to which the leader of a guerrilla war was called a *latro*.

If the Romans called Viriatus a *latro*, then his war, the struggle of the Lusitanians against Romans attempting to occupy their land, fell into the category of *latrocinium*. Such a classification follows from both the status of the enemy under international law and the guerrilla tactics which they employed. In terms of international law, the position of the Lusitanians was, of course, determined solely and subjectively by the Romans. As we have already seen, the Romans regarded the Lusitanians as a barbarian people, unable to field a regular army of heavy infantry, trained in and equipped with the weapons of Greco-Roman military science. And they were led by Viriatus. For this form of warfare there was indeed just one word in Latin: *latrocinium*.[41]

The Greeks were already well used to using *leisteuein* to mean 'to wage a guerrilla war', for example when Demosthenes attempted to persuade the Athenians that they ought not to risk a pitched battle against Philip of Macedon, but should go instead for targeted attacks from the rear.[42] When Livy narrates how the local inhabitants tried to block Hannibal's crossing of the Alps, he says that they attacked not like regular troops, but like *latrones*, falling first on Hannibal's vanguard and then his rear, as the topography permitted.[43] In this he describes the very essence of guerrilla warfare, with its sudden attacks from the rear. Even Hannibal, in the last phase of the Second Punic War, when he was stranded in Bruttium with his lines of supply severed, was forced 'to campaign through banditry'.[44] This instance shows how a regular army could be forced to *latrocinium*, when it had to support itself by looting, and illustrates how close the derivation 'to wage

guerrilla warfare' was to the root 'to commit banditry'. 'The war in Bruttium had been a matter of brigandage more than of regular fighting' is Livy's verdict on this phase of the Hannibalic War.[45]

Livy's contrasting of *latrocinium* and *bellum* was no isolated, accidental distinction, but one fully in line with Roman legal thinking which found its expression in the formal juridical definition already discussed in Chapter 1: '"Enemies" are those who have formally declared war upon us or upon whom we have declared war. The rest are either *latrones* or *praedones*.'[46] According to this definition, the criterion for distinguishing between *hostes* and *latrones* or *praedones* was the capacity of the enemy to make a formal declaration of war, as happened in Rome in the form of the fetial rite and according to the law of the *bellum iustum*.[47] For the Romans, this could be done only by sovereign states. Conversely, any war that was not preceded by a declaration of war valid under international law was *latrocinium*.

Taking all this into account, Viriatus' war had to be termed *latrocinium*. On the other hand, an examination of the terminology of our sources in this respect produces no uniformity. If Appian or Diodorus use the word 'war' (*polemos*) in this context, they are adopting the Roman viewpoint, according to which the event necessarily had to be termed 'the war against Viriatus' (*ho Ouriathou polemos*).[48] And if, from the Roman perspective, an appeal was made to the Lusitanian war party, that still does not preclude that this war was *latrocinium* or *leisterion*. Wherever Appian speaks of Lusitanian guerrilla groups, he is consistent in describing them and their actions as *leisteria*.[49] On the other hand, in other texts Viriatus' war is unambiguously regarded as *bellum*,[50] and Viriatus himself as 'commander . . . of a regular army' and *hostis*.[51] By juridical standards this is a very definite assessment and all the more important because it was the one adopted by Livy who reproduces the contemporary, official view of the Senate. In his obituary, Appian also praises Viriatus as a great general, just as other authors called him *dux* or *strategos*, thereby deliberately employing terms which denoted a regular commander.[52]

The terminological indecisiveness of the sources raises the question as to whether the juridical distinction between *hostes* and *latrones* really had any practical relevance, given that in the case of Viriatus' war the legal juridical criteria for terming it *latrocinium* were so clearly fulfilled. Despite the impression given by the sources, how people described a war like that of Viriatus was not entirely arbitrary. In non-legal usage, the strict legal definition was, as it were, set aside if it conflicted with that of the common perception (i.e., of people who were not expert in the law). For example, in legal terms the slave wars of the Roman Republic should also have been termed only *latrocinia.* However, to cite only one instance to the contrary, Florus saw himself forced, with a clearly deeply felt 'I am ashamed to call them so' (*pudet dicere*), to describe Spartacus as *hostis*, *dux* and *quasi imperator*, and his war as *bellum*.[53]

On the basis of a terminological study, W. Hoben has been able to show in detail how, at the beginning of each slave uprising, the sources speak of *latrocinium*; then, after the incident has reached a certain order of magnitude, they move to label it as *bellum*; and finally, as the star of the revolting slaves sinks, they revert once more to *latrocinium*.[54] In such cases it was the size of the slave armies and their initial military success that won them such regard as opponents of Rome that, albeit only temporarily, they were quasi-legally recognised as *hostes.* Investigation of the terminology of the war against Viriatus, the Sicilian slave war and the war against Spartacus reveals two criteria according to which a war that was, legally speaking, *latrocinium*, could, in everyday language, be termed *bellum*. These were: 1) the size of the enemy's army and the extent of his military success; and 2) the respect gained by the leadership of his commanders.

Once again, these observations are confirmed by the high esteem in which Viriatus was held by the Roman historiographical tradition. The same regard rescued other leaders of native resistance to Rome from being classified as common *latrones*, although their wars were, both *de iure* and *de facto*, *latrocinia*. What Vercingetorix achieved by his strength of leadership, political dexterity and military acumen, namely the temporary political unification of a large section of the Gallic tribes, compelled a degree of respect from his Roman foes. This respect, the extent of his movement, and its short-lived success shielded the leader of the great Gallic uprising against Roman occupation from personal denigration as a *latro*, even if certain aspects of what happened were termed *latrocinia*.[55] In the same way, Bato, leader of the Pannonian-Dalmatian uprising of AD 6–9, 'the most serious of all foreign wars since those with Carthage',[56] was not explicitly called *latro* or *leistes*. This was despite the fact that his resistance movement waged a guerrilla war,[57] and that after the uprising had been crushed 'certain bands of brigands (*leistika tina*) continued their forays for a long time'.[58] We encounter the same peculiarity in the cases of resistance leaders such as Arminius, Caratacus and Julius Civilis. All of these belong to a circle of respected enemies of Rome. Their opposites are to be found in a group of enemies who remained lacking in such respect, and who are therefore categorised according to the typology of Roman *latrones* as 'common', 'despised' bandits. Tacfarinas, leader of a resistance movement in North Africa under Tiberius, is a good example of these. His case will be reviewed below; but first we return to Viriatus as the prototype of the 'noble bandit'.

5 Viriatus and his Roman opponents

A number of Roman writers not only offered accounts of Viriatus' actions but also more or less detailed written portraits of his character. Of the fullest characterisations, we have lost those of Posidonius and Livy, but have those

of Diodorus and Cassius Dio. Both of these are so similar in their choice and ordering of principal traits that we may assume a common source. The long list of physical and intellectual qualities, together with examples of his moral integrity, which both authors deploy to characterise Viriatus combine to create a profile that fits Stoic criteria for the ideal man. As H. Simon has persuasively demonstrated, both Diodorus and Cassius Dio may have taken the account given of him by Posidonius, the exponent of later Stoicism, as the basis of their characterisation of Viriatus.[59] Somewhat earlier, Ennius (whose work in any case reveals admiration for major enemies of Rome)[60] demonstrated an idealising attitude similar to that of Posidonius when he formulated his famous remark concerning the basis of the Roman state.[61]

Praise of Viriatus may be summarised as follows. Accustomed to the poverty stricken life of the mountain herdsman from his early childhood, Viriatus was fully at home in the conditions of his environment.[62] In physical terms this meant that he was strong and fast, abilities which he raised to the highest levels of endurance through hard exercise.[63] Toughening-up made him resistant to heat and cold,[64] and allowed him to survive on a minimum of sleep – for which he anyway required only a bed under the stars.[65] He demonstrated his moderation in eating and drinking not only in his everyday life[66] but even at his own wedding breakfast.[67] Viriatus' outstanding bodily characteristics were exceeded by his mental qualities, which were essential in bringing out his full physical potential. Self-confidence and modesty were as much part of the equation as determination and forethought.[68] In spite of his success in war, Viriatus was never carried away by arrogance.[69] He never thought himself too good for humble tasks.[70] His natural modesty was matched by clear, direct talking.[71] Despite his lack of a formal education, he possessed great practical gifts as well as statesmanlike wisdom.[72] Thanks to his exceptional powers of perception, he could settle quickly on the most effective means, the best times and the most favourable locations for action. All these capacities were deployed to the full in military undertakings.[73] As a general, Viriatus welcomed a fight and was good at it (*philpolemos* and *eupolemos*),[74] being motivated by the desire to perform great deeds.[75] His reputation was founded on no noble pedigree, but solely on his demonstration of his skills. As a result, his men adored him.[76] Under his leadership there was no occasion for mutiny.[77] He had no lust for personal wealth or power.[78]

A particular object of admiration was Viriatus' sense of justice, manifested in the careful and generous manner in which he shared out plunder. His men were rewarded according to their particular accomplishments, while he himself exercised the greatest restraint.[79] When Cicero, engaged in preparing his treatise on duties, sought exemplary cases of the fair distribution of booty, he apparently found no suitable Romans. This is all the more remarkable since he then names two foreign *latrones* as exemplifying this virtue: Viriatus and then 'the Illyrian *latro*, Bardylis'.[80] Cicero uses these to

explain his observation that there are even 'bandit laws' (*leges latronum*), i.e., that even (or, especially) bandits live together according to established rules. According to Cicero, *leges latronum* were observable insofar as the leader of a group showed himself to be just; and justice was so powerful that it could even establish and increase the power of *latrones*.[81] The source of Viriatus' power was, therefore, his righteousness.

Alongside Viriatus, the perfect model, other *latrones* paled into insignificance, not to mention, as we shall see below, his Roman opponents. Just *one* person in Antiquity could, however, have been a model for him, though more in the literary than in the historical sense. This is Hannibal, of whom we have already seen that he honed his strategic skills while a young bandit leader in Spain, just as Viriatus is supposed to have done in imitation of him two generations later. We have a character sketch of Hannibal by Livy which manifests striking similarities with the ones we have of Viriatus.[82]

> To reckless courage in incurring dangers he united the greatest judgement when in the midst of them. No toil could exhaust his body or overcome his spirit. Of heat and cold he was equally tolerant. His consumption of meat and drink was determined by natural desire, not by pleasure. His times of waking and sleeping were not marked off by day or night: what time remained when his work was done he gave to sleep, which he did not court with a soft bed or stillness, but was seen repeatedly by many lying on the ground wrapped in a common soldier's cloak amongst the sentinels and outguards. His dress was in no way superior to that of his fellows, but his arms and horses were conspicuous. Both of horsemen and of footsoldiers he was undoubtedly the first – foremost to enter battle, and last to leave it when fighting had begun.[83]

This extract shows the very high degree of correspondence between Hannibal (he of Roman myth) and Viriatus (likewise, he of Roman myth),[84] and gives an idea of how Livy's portrait of Viriatus should be recognised as being very close to that of Hannibal. It also demonstrates the high level of idealisation that underpins the images of both these men. But while at least Livy attached a list of Hannibal's vices to his praise of his *virtutes*, with regard to Viriatus he made no mention of any failings.

In the universal respect of historians for Viriatus, there can be no doubt that a role was also played by their tacit agreement that the war in Spain was an expression of a somewhat crass imperialism, and so no glorious page in the annals of Rome. To be sure, such sensitivity was not new among Roman writers, as is shown not only by the tenor of the whole tradition in respect of the war against Viriatus, but also in the way in which one historian openly admitted the injustice of another of Rome's wars: 'The Cretan war, if the truth is to be told, was due solely to our desire to conquer that famous

island.'[85] Typically, the leaders of the Cretan resistance against the Roman invasion were, like Viriatus, not denigrated as common bandits, but treated with restraint and respect.[86]

Against the virtues of Viriatus must now be set the vices of the Roman commanders, some of which were held up for show, others only delicately implied. By far the worst case is that of Servius Sulpicius Galba. As we have already seen, his reputation had already been tarnished by the atrocities that had been inflicted in the name of Rome on refugee Lusitanians under his authority as praetor of Hispania Citerior. In addition, Galba also proved himself an unworthy magistrate of Rome through his greed; and he generally – according to the judgement that Appian took from his sources – behaved 'like a barbarian'.[87] Although Galba was very wealthy, he is supposed to have been even more grasping than his colleague, L. Licinius Lucullus, proconsul of Hispania Citerior, giving his colleagues only a little of the booty which he acquired during his campaigning, his men even less, and keeping all the rest for himself.[88] Galba's greed stands, of course, in sharp contrast to Viriatus' temperance and fair-dealing which, to judge from the reference from Cicero, were famed for generations. As Appian's use of the term 'barbarian' shows, positive and negative were simply reversed: the barbarian, Viriatus, embodied precisely those qualities that should have belonged to the Roman, Galba, but which he plainly did not possess.

Appian's verdict (and that of his sources) on the first two Roman generals who tried to suppress Viriatus was different, but no less damning. The first, C. Vetilius, praetor of Hispania Ulterior in 147 BC, quickly walked into his challenger's trap. He was then taken prisoner by some Lusitanian warrior. This nameless hero, clearly unaware that no less a person than the Roman commander had fallen into his hands, decided that Vetilius, old and fat as he was, was a worthless captive, and so slew him.[89] C. Plautius, Vetilius' successor, at least escaped with his life. He was shaken so much by two bitter defeats that, demoralised, he ordered his troops into winter quarters while it was still the height of summer.[90] That neither Vetilius nor Plautius managed to do anything that approached Galba's double dealing qualified them for no more lenient historical judgement: both are portrayed as no better than incompetent idiots.

The third Roman military commander to go against Viriatus was more successful. During his second campaigning year (144 BC), he at least managed to put Viriatus to flight.[91] This was Q. Fabius Maximus Aemilianus, and Viriatus must have realised that in him, the brother of Scipio Aemilianus, he faced a very different class of foe.[92] But, luckily for Viriatus, with Q. Pompeius, the fourth Roman commander of the war, things moved back to normal. Q. Pompeius is notorious for refusing to answer a legitimate call for help from the Bastitani, who were allied to Rome and who were being pressed by Viriatus' forces. Historians pitilessly ascribed this blunder to lack of military experience coupled with cowardice, as they did the miscalculation

that followed. Viriatus was then considered invincible and so, to avoid tackling him himself, Pompeius despatched a junior general, an Iberian, C. Marcius, against him. In the meantime, though it was still autumn, Pompeius elected to go into winter quarters.[93] According to Appian, after the unhappy Pompeius came Fabius Maximus Servilianus, brother of Aemilianus. A change of fortune seemed to be presaged as, throughout the whole of the campaigning season of 142 BC, Servilianus advanced very successfully against Viriatus.[94] Although, during the following year, Viriatus scored a victory of his own against Servilianus, he was generally so hard pressed by the latter that he was ready for peace and indeed of his own accord proposed this to the Roman commander. So Viriatus even became 'friend of the Roman people' (*amicus populi Romani*).[95]

Of the five Roman generals who had ventured to face Viriatus, only the two sons of Aemilius Paullus may in any way be described as successful, inasfar as they could claim nominal victories. Moreover, unlike their less distinguished colleagues, although in the end they too were failures, they were not made to look like degenerate weaklings. This was probably no accident and should not be regarded as an accurate reflection of events. In the clear difference of treatment between these two and their colleagues may be seen the hand of Polybius, whose friendship with Scipio Aemilianus perhaps helped to bring it about that even his patron's relatives were edged into a better light.[96]

Q. Servilius Caepio, Viriatus' final challenger, made sure that the peace agreement was annulled and the Senate renewed the declaration of war against him.[97] Caepio had apparently set himself the goal of defeating Viriatus in open battle. However, that which fortune had so far refused every Roman general was also denied to the ambitious Caepio. On the other hand, Viriatus realised that he also lacked the strength to win a decisive victory. He therefore once again sued for peace, despatching three trusted lieutenants, Audax, Ditalkon and Minouros to Caepio.[98] But these three negotiators returned to camp with a plan to murder him.

6 The end of Viriatus

The faithlessness of the Roman commanders, the first taste of which had been given in the massacre ordered by Galba, culminated in the assassination of Viriatus. In his capacity as proconsul of Hispania Ulterior commander-in-chief of Roman forces at the time of the crime, Servilius Caepio is regarded as having been the instigator of the killing. At any rate, this is the view of most Roman writers. Diodorus is alone in heaping the whole of the blame on Viriatus' envoys, with Caepio merely as a willing accessory before the fact.[99] But Diodorus also contradicts himself elsewhere in his text;[100] and the majority of modern researchers follow our other sources in blaming Caepio. Even if a few ingenious reasons have been adduced as to why Caepio

need not be made to shoulder all the guilt, his shady role in this disgraceful affair cannot be papered over.[101]

In the context of the current study, who precisely initiated the plot and whether the Roman consul should be regarded as instigator or accomplice are unimportant. What is significant is how Roman writers depicted the event to their readers. There can be no doubting both the material and moral responsibility of Caepio – who, of course, fares all the worse in the judgement of posterity as the focus of outrage at Viriatus' murder and of resentment at the inability of his predecessors to bring Viriatus to book in honourable combat. It is no wonder, therefore, that victory over Viriatus brought him no glory.[102] He was denied recognition not only by later historians but even by contemporaries, as is evidenced by the Senate deciding not to grant him a triumph[103] and to withhold from Viriatus' killers the reward that Caepio had promised them.[104] Caepio's standing had already been damaged in Rome and so brusque a snub could only have further discredited it among his Lusitanian allies. Despite the criticism that the Roman ruling elite had to endure as news spread about the squalid war against Viriatus, it is remarkable that the majority of senators still voted in favour of the motions to refused Caepio his triumph. In its refusal to compromise, such a public distancing from the actions of a proconsul is exceeded only by the case of Cato the Younger, who (unsuccessfully, of course) proposed in the Senate that Caesar be handed over to the Germans.[105] In Caepio's case, the upright attitude of the Senate against Viriatus' murder and its perpetrators may be interpreted as an indication that, contrary to all misgivings, Roman politics of the period were still being conducted according to a certain respect for justice and tradition. However, such a thesis would be easier to maintain if we could rule out that Caepio's summary rejection was not part of the political game – more precisely, not engineered by the metropolitan rivals of the Servilii.[106] But this is uncertain. At best, Caepio's affair serves to lessen the impression of a corrupt Senate, at worst, considerably to strengthen it.

The murder of Viriatus thus left a deep impression in the Roman historical tradition and Roman writers in particular were unanimous in blaming their own side for it. This may be taken as indicating that contemporaries saw the crisis of the Roman ruling class – which finally led *inter alia* to the fall of the Republic – as emerging around the middle of the second century BC, i.e. earlier than the internal political wranglings over the Gracchan reforms. Z.W. Rubinsohn has expressly commented on the importance of this observation in questioning the standard chronological divisions of Roman history with reference to 'the epoch-making year of 133'.[107]

If the legend of Viriatus' invincibility began with his great accomplishments in war, it was brought to perfection only by his death since he died undefeated. No matter how tragic his end was and how abruptly it terminated his plans, the crime only rendered his fame immortal. The outrage served to add a significant conviction to the mythical conception of the

'noble bandit' that Roman society created for itself, and for which Viriatus had been a model. The 'noble bandit' was vulnerable only to treachery, 'invincible by any other method'.[108]

7 The second Viriatus: Sertorius

Long after Viriatus' death, Sertorius inherited his fame as a charismatic leader.[109] He acquired the role of leader of Celtiberian resistance to Rome through his political opposition to Sulla.[110] His motives and aims were therefore entirely different from those of Viriatus.[111] However, occasionally, like Viriatus, from a Roman perspective he indulged in 'banditry': in other words, he waged a guerrilla war.[112] His tactics were to break Roman supply lines by means of ambushes, flanking movements and surprise forced marches, and to cut off provisioning by sea by blockading the coast with pirate vessels.[113] The base of his maritime operations was Hemeroskopeion, a coastal settlement north of New Carthage, the topography of which made it an ideal pirates' nest.[114] Following his expulsion from Spain, in 80 BC, by Sulla's supporter T. Annius, Sertorius also called on the aid of Cilician pirates.[115]

As guerrilla leader, Sertorius acquired the same sort of aura as Viriatus.[116] Like the Lusitanian rebel, his great model, Sertorius too was characterised by outstanding physical, mental and, in particular, military qualities,[117] while his elderly opponent, Q. Metellus Pius, had to face the charge of weakness.[118] Sertorius' virtues were expressed most of all in the fact that he, like Viriatus, could not be defeated by conventional military means. He 'led a force that consisted more of bandits than of soldiers', [119] but over time forged 'an army out of a huge robber band'.[120] Sertorius remained undefeated, but fell victim to the assassination plot of a group of conspirators who, led by Peperna had formed amongst his own men.[121] The bias which Plutarch took over from his sources[122] was identical to that of the tradition concerning Viriatus, by which the decadence of the Roman ruling class was identified as a root cause of the crisis of the Late Republic. In a world turned upside down, traditional virtues were embodied in men such as Viriatus and Sertorius, who – as external or, even worse, internal opponents – stood outside the Roman Establishment. A rather different tradition, hostile to Sertorius and therefore not inclined to heroise him, can be detected in Appian's account. Here we read that Sertorius had to contend with desertion and that his harsh disciplinary measures lost him his popularity with his men.[123]

The Sertorius legend is made somewhat unusual by the divine protection which was supposedly vouchsafed to him, the outward manifestation of which was a tame white hind endowed with supernatural abilities.[124] According to the story, Sertorius claimed before the superstitiously inclined Celtiberians that the animal was a gift from the goddess Diana, and revealed to him his

enemies' most secret plans.[125] In a more sober version, Sertorius is supposed to have obtained the hind from a certain Spanus and quite deliberately made use of it in the way described.[126] In their appeal to a propinquity with the divine, there are certain similarities between Sertorius and the Sicilian slave leaders, Eunous, Salvius (Tryphon) and Athenion. Eunous had made it known that, inspired by the Syrian goddess Atargatis, he could foretell the future;[127] Salvius was renowned for his skills as a diviner;[128] and Athenion was practised in interpreting the meaning of the stars.[129] In each one of these instances, men who wielded arbitrary power exploited supposedly supernatural qualities to strengthen their charismatic auras, to substantiate a higher legitimation and thereby secure their positions.

8 Tacfarinas the 'common bandit'

In a series of chapters scattered through Books 2–4 of his *Annales*, Tacitus describes the uprising of a tribal coalition of Musulamii, Numidians and Moors which shook Africa Proconsularis in the period AD 17–24.[130] The movement was headed by Tacfarinas,[131] a Musulamian auxiliary and deserter. It began by Tacfarinas' gathering supporters from his fellow tribespeople out of whom he created a small army, organised on Roman lines. The group was reinforced by men from the neighbouring tribe of the Moors, brought in by their leader, Mazippa. Somewhat later the movement was joined by bands from the tribe of the Cinithii. The focus of operations can be located on the southern frontier of Africa Proconsularis, i.e., in the settlement areas of the participating tribes. When, after what must have been a long period of preparation, the uprising burst out there in AD 17, the governor, M. Furius Camillus, reacted energetically, crushing it with the legion that was stationed in the province together with auxiliary units. The affair seemed over. On the surface, at least, everywhere was peaceful. Tacfarinas, however, had still not given up. Taking a massively reduced core of troops, he trained these to wage a partisan war, and so succeeded in winning back some of his fighting power. This the Roman authorities either missed or underestimated. Then, year after year, Tacfarinas raided deep into Proconsularis – for so long that the Roman troops in their turn adopted guerrilla tactics. In AD 23, the proconsul Q. Iunius Blaesius managed to run down and wipe out most of Tacfarinas' followers. In the same year, P. Cornelius Dolabella completed the work of his predecessor when he stormed the rebels' camp and so precipitated Tacfarinas' death. The revolt was over. Seen as a whole, it never amounted to very much, nor did it ever pose any serious threat to Roman rule in North Africa.

Notwithstanding, encouraged no doubt by the great attention that Tacitus gave to the affair, early-twentieth-century scholarship made Tacfarinas' rebellion out to be a great war of liberation.[132] More recent scholarship has rightly observed that Suetonius and Cassius Dio completely ignore the

incident, while Tacitus' account, despite its unusual length, is not so extensive as to provide full details of the background to the uprising.[133] It appears that Tacitus was not very curious about the causes and objectives of the movement, but was keenly interested in the manner in which the emperor and the Senate behaved in dealing with it. Consequently, modern historians are now sure that Tacitus' account of Tacfarinas follows its own agenda, and was not written simply to record an important historical event in the reign of Tiberius.

Concerning the likely background to the rising, we are driven back on a few vague utterances in Tacitus, and so on the very broad spectrum of speculation generated by modern research. Our best clue is to be found in a tacitean aside in which mention is made of the rebels' demanding land for settlement.[134] On this basis, G. Alföldy interprets the revolt as an expression of protest by nomadic groups, ready to settle down, against a stalled policy of urbanisation in their region.[135] V.A. Sirago, on the other hand, sees the uprising as being driven by the desire to stop Roman penetration deeper into southern Proconsularis.[136] J.-M. Lassère detects behind the incident 'un conflit "routier"', sparked by the building of a Roman road from Ammaedara by way of Capsa to Tacape: this was meant to afford better control over the plateau west of the gulf of Syrtis Minor but, as far as the Musulamii were concerned, isolated them from their summer grazing.[137] The last proposal was very convincingly refuted by A. Gutsfeld, on the grounds that a road is no obstacle to nomadic herders and that there are no signs of intensified Roman efforts to subject the area of the uprising to provincial administration.[138] However, Gutsfeld has no more convincing explanation for what drove the revolt other than the aims indicated by Tacitus.

In the context of this study there is, in fact, no need to trawl afresh thorough the causes of the revolt. We may begin with the observation that Tacfarinas is always described as being a bandit and that Tacitus clearly characterises him as such. Unlike Viriatus, however, Tacfarinas does not conform to the type of the 'noble' but rather to that of the common criminal. Just as a series of opponents who won Roman respect were, following the example of Viriatus, described as 'noble bandits', so the traits of Tacfarinas, the 'despised bandit', recur in reports of others who were denied such consideration and regard by their conquerors. The important question is, therefore, what made rebel leaders like Tacfarinas 'common bandits' in contrast to their more highly admired peers, and how the characteristics of this type were expressed and what part this classification played in Roman historiography.

The most striking characteristic about the account of Tacfarinas is that he is consistently spoken of as a bandit: the *desertor et praedo*, the *latro Tacfarinas*[139] ransacked Africa, and in this capacity was supported by the king of the Garamantes acting as 'the receiver of his booty' (*praedarum receptor*) and 'the partner of his forays' (*socius populandi*).[140]

Tacfarinas was seen as representing nomadic tribes which the Romans, more than they did of the Celts, Illyrians and Germans, regarded as barbarian.[141] For this reason, Tacfarinas may have appeared to have been a less worthy opponent than, for example, Vercingetorix, Bato or Arminius. Personally, too, he could not demonstrate so noble a descent as Vercingetorix or Arminius. Although, as a result of his service in the army, he was Romanised, as a mere auxiliary soldier Tacfarinas had served in an inferior position and was by definition not a Roman citizen. His social standing was therefore hardly the equal of that of a prince of the Arverni or of a prince of the Cherusci who was also a Roman *eques*. Though he was finally able to rise to become *Musulamiorum dux*,[142] he still lacked the nobility of those of his peers who escaped being labelled *latrones*. An obvious explanation for this derogatory judgement of Tacfarinas by Roman historians may, therefore, be found in his ethnic background and his social status. However, as already shown, Viriatus could exhibit no better pedigree than Tacfarinas, yet he won the regard of the same historians. Thus origin and status alone could not have been sufficient criteria for the classification of Tacfarinas as a common bandit worthy of no respect.

On the other hand, a perfectly satisfactory ground for his being downgraded to a *latro* of this type may be derived from the combination of his barbarian birth, his low social status and crucially, his desertion.[143] In a later chapter I will discuss the case of Maternus who, under Commodus, engineered a 'War of the Deserters' (*bellum desertorum*). In characteristic fashion, Roman historians also described him, a deserter himself, as a contemptible common bandit. Both examples confirm the view that deserters were more or less automatically labelled *latrones*, to the extent that in this context *latro* became synonymous with 'deserter'. Such a connotation reflects the abhorrence of Roman society for desertion, a crime of dishonour which, as a renunciation of the oath to the colours (*sacramentum*), represented a breach of one's word, as a consequence of which he who broke the oath became *sacer*, 'accursed'.[144] In time of war and in extreme emergencies, deserters could be sentenced to death.[145] In view of the gravity of the crime, Roman law put *desertores* on the same level as runaway slaves (*servi fugitivi*), systematically ranking their misdeeds against the less serious offences of soldiers who went absent without leave or slaves who wandered off without permission (*erro*).[146] In itself, desertion was not deemed so serious that no consideration could be given to the circumstances that had brought it about. However, when it was associated with further crimes (including, in the worst possible case, instigating a rebellion), mitigating circumstances were not taken into account.[147] It may, perhaps, be seen as a reflection of the same line of thinking generated by this legal differentiation between the treatment of deserters, that Tacitus says just as little about the causes of the unrest under Tacfarinas as Herodian does about the background to Maternus' revolt. A further deciding factor in the disparagement of such *latrones* as 'common bandits' may

also have been the fact that they chose their own destiny. In this is another point of contact between desertion and slave-flight. *Desertores* and *servi fugitivi* had, of their own accord, left the association of recognised groups in Roman society. What they could do, or might hope to do, was, therefore, broadly the same. As outsiders, they had very little chance to ensure their survival other than by scraping a living as bandits.[148] By these standards, a lenient judgement of deserters such as Tacfarinas and Maternus, as would have been expressed in their characterisation as 'noble bandits', was impossible from the start.

Like the struggle waged by Viriatus and other risings by native groups against Roman provincial rule, Tacfarinas' revolt was also classified as *latrocinium* because it involved guerrilla tactics. The terminology of this has already been dealt with in discussion of Viriatus. Additionally, however, Tacfarinas exploited the knowledge of Roman military techniques which he had acquired during his service as an auxiliary soldier to wage a conventional war against Rome. Consequently, he trained up an elite personal unit armed with Roman weapons and drilled after the Roman manner, using other bands to flank the regular operations of this core group by launching carefully planned plundering raids on the margins of the main theatre of war. It was only after his defeat by Furius Camillus that he devoted himself exclusively to guerrilla tactics[149] which secured him some years of considerable success and which compelled Roman troops to adjust themselves to partisan warfare.[150] The soldiers sent against Tacfarinas suffered so much in this war of attrition that military discipline deteriorated and infringements of it were severely punished. The Roman high command must indeed have been in the grip of hysteria when, in AD 20, it ordered a dishonoured cohort to undergo the penalties of running the gauntlet and decimation.[151] The extraordinary nature of this instruction can be seen from the fact that this was the last time that the barbaric penalty of running the gauntlet, and the penultimate time that decimation was imposed under the Principate.[152]

As was shown in the case of the war against Viriatus, Roman writers sometimes referred to *bellum* when, legally speaking, they were dealing with *latrocinium.* Tacitus begins his account of the revolt of Tacfarinas with the sentence: 'In the course of the same year, war (*bellum*) broke out in Africa, where the enemy (*hostes*) were commanded by Tacfarinas.'[153] So the rebellion under Tacfarinas comes under the category of '*bella*/*hostes*' to be found in the definition of *Dig*. 50.16.118 pr. which, given that it lasted almost eight years and produced three triumphs, is hardly surprising.

Returning to the comparison between Tacfarinas and Viriatus, the difference between the 'respected' and the 'despised' bandit is also obvious in the fact that Viriatus embarked upon a path of banditry as a result of an act of Roman injustice. (In this interpretation it is crucial that the unjust act which started all the trouble was attributed to the Roman side by Roman historians and not by outsiders.) By contrast, Tacfarinas, like Maternus after

him, took the first step to being an outlaw by acting dishonourably and deserting the colours.

In addition, the aims of Tacfarinas' rebellion will also have contributed to its derogatory rating as *latrocinium*. As already mentioned, we know very little about these other than that at a certain point in the development of the revolt the insurgents demanded the allotment of land. The requesting of land on which to settle had likewise occurred during Viriatus' war, again showing similarities between the two movements. Whether this was all Tacfarinas and his allies pursued in their struggle against the occupying power we cannot say. Investigation of the causes of the unrest is somewhat hampered by the report that Tacfarinas called on all those who preferred freedom to slavery at a time when it suited his cause.[154] Tacitus thus explains the war as one of liberation, the aim of which was to end Roman rule in North Africa. But such a destructive ambition is scarcely consistent with Tacfarinas' demand for land on which his followers might settle. If it really had been their intention to drive the Romans from their land, the rebels would hardly have bothered to haggle over land: they would have had to make a play for everything. But all-out war is neither a realistic nor a plausible assumption in contrast to the demand for land, from which it necessarily follows that the rebels were prepared to accept the Roman officials, of whom they made their request, as the recognised authority in their country. Tacfarinas' supposed appeal to *libertas* should be seen as an embellishment of Tacitus who was, for literary reasons, inclined to impute the noble motive of the struggle for liberty to provincial rebellions.[155]

What finally made the difference between Viriatus the 'respected bandit' and Tacfarinas the 'contemptible bandit' was the way each met his end. Viriatus proved his invincibility by being overcome only as a result of betrayal. Tacfarinas perished wholly unremarkably in battle. For a warrior, he died an honourable death but, as a *latro*, he failed to acquire the aura of impregnability which would have marked him out as a 'respected bandit'.

Tacitus disparaged Tacfarinas' battle companions as ne'er-do-wells, indigents and adventurers[156] inured to bandit life.[157] This sounds like a volatile mixture, but says nothing about the actual composition of Tacfarinas' following.[158] Tacitus was employing terms from a restricted vocabulary that he habitually drew upon when describing groups of people of whom he was suspicious[159] or when speaking about the social composition of rebel movements. So Anicetus, a rebel leader from Pontus who exploited the political uncertainty of the Year of the Four Emperors (AD 69) to foment unrest in his native country, is supposed to have gathered around himself the poorest of the poor, with whom, bent on plunder, he roamed the land.[160] Likewise, in the course of the same year and also in the East, a false Nero surrounded himself with *desertores* who eked out an existence as 'wandering beggars' (*inopia vagi*) and reinforced his forces with people who were motivated by a desire for 'revolution' (*res novae*).[161] And Geta, the slave who at that time

aimed to make his fortune under an assumed name, was helped by 'the meanest rabble' (*deterrimus quisque*) and by people who would believe anything (*vulgus credulum*), all of them with a taste for rioting (*studium turbarum*).[162] These examples reveal, in the uniformity of Tacitus' phraseology, how difficult – even impossible – it is to investigate uprisings such as these from the point of view of the social historian, carefully identifying what lay behind them in socio-economic terms, and assessing their aims and objectives. It is clear that Tacitus' wording is too formulaic for this.

9 Bandits and emperors: Tacfarinas and Tiberius

A study by Sir Ronald Syme has shown how we might understand what Tacitus had in mind in composing the story of Tacfarinas. According to Syme, Tacitus gave his account of the rebellion a pronounced Republican colouring because he wished to stir sad memories of the Republican period. The fact that events took place in North Africa inspired him to construct his account of Tacfarinas with reference, both stylistically and in terms of its hidden agenda, to Sallust's story of the war against Jugurtha.[163] Syme's idea was tested and confirmed by A. Gutsfeld in a detailed comparison of Tacitus' text with passages from Sallust concerning the Jugurthine War.[164] Independently of Gutsfeld, O. Devillers came to the same conclusion, that, 'Tacitus recounted the campaigning against Tacfarinas in such a way as to illuminate the character of Tiberius and, through this, this emperor's relationship with the Senate'.[165]

In order to show the plausibility of such an interpretation all that is required are a few observations, beginning with the fact that hostilities lasted for eight years. Little could be done against Tacfarinas' guerrillas in terms of conventional warfare, but Tacitus clearly intended blame for the failure of Roman countermeasures to fall on Tiberius' incompetence. According to Tacitus, Tiberius had prematurely granted Furius Camillus a triumph[166] as if the war were finished, after he, as proconsul and benefiting from beginners' luck, had smashed Tacfarinas' irregulars in the first year of the uprising. In AD 22, the emperor again declared the conflict over, and permitted Q. Iunius Blaesus an acclamation as *imperator*.[167] By AD 24, according to Tacitus' counting, the war had produced three *triumphatores*, but still had not brought down Tacfarinas. In addition, the Ninth Legion, which had during this time been brought in from Pannonia, was moved out of Africa too early by Tiberius as a result of a terrible error of judgement.[168] Finally, also in AD 24, the current proconsul, P. Cornelius Dolabella, showed himself more worried about the orders he received from Tiberius than about reverses in the field.[169] Yet when, after much effort, Dolabella managed to suppress the rebellion,[170] and so was the only general who really deserved a triumph, Tiberius refused him the honour, out of consideration for Sejanus and his relative, Blaesus, whose reputation could not at the time be compromised.[171]

If it may, therefore, be taken as more or less certain that Tacitus' account of Tacfarinas should be set in the wider context of his general pessimism about the Principate and, more narrowly, in his concept of the depravity of Tiberius' reign, it is legitimate to ask how such feelings and attitudes may have affected his characterisation of Tacfarinas, the 'bandit'. It is obvious that he twisted and distorted the features of the real Tacfarinas. On the other hand, his narrative also contains unmistakable references to the very wide repercussions of Tacfarinas' rebellion, its extraordinary ability to regenerate itself after defeat, the adaptability of its commander, his strategical skills and his charismatic qualities as a leader.

For example, though at first only the Musulamii took up arms, they were soon joined by the Mauri, led by Mazippa, and then the Cinithii, 'a by no means negligible tribe'.[172] Losses were made up by recruiting auxiliaries from the centre of Africa Proconsularis; the Garamantes later provided reinforcements.[173] The extent of Tacfarinas' backing in Roman North Africa and its border regions is shown not only by the number of peoples who joined him and the extent of the theatre of operations of his revolt but also by the report that he was supplied with grain by people on the Roman side.[174] The fact that Tacfarinas sent envoys to Tiberius with an offer of negotiation[175] shows the extent to which he had the better of Rome at this time. That he demanded allocation of land for those he represented[176] reveals his uprising as being socially and politically motivated (while, as already shown, Tacitus tended either to play it down as pure banditry or write it up as a war of liberation). Tiberius flatly turned down Tacfarinas' offer of talks, saying that Spartacus had not been allowed a negotiated surrender and neither would the bandit Tacfarinas.[177] Subsequently, however, Tiberius accommodated the rebels to the extent that he promised amnesty to all who voluntarily laid down their arms. His previous decisiveness thus turned out to be a thing of words, not deeds.[178]

The picture sketched above allows one to discern, under 'Tacfarinas the literary construct', a personality able to stand comparison with Viriatus – as long as Tacfarinas is viewed free from invective and Viriatus from panegyric. On the other hand, the same picture shows Tiberius as an incompetent amateur. If only for the sake of completeness it should be mentioned that, despite what Tacitus says to the contrary, what Tiberius and his officials did in this respect reflects judgement and understanding. However, it suited Tacitus to have the 'bandit' in conflict with the government of a weak emperor. That, in literary terms, Tacfarinas was afforded the traits of a 'contemptible bandit', also occurred as a result of Tacitus' wish to denigrate Tiberius. In recording the undeniable truth that Tacfarinas' uprising was perhaps the most important military event of the first ten years of Tiberius' reign, Tacitus subtly criticises this emperor's administration in implying that more considered action could have led to a faster and more effective resolution of the crisis. He hints that this developed into a guerrilla war

that dragged on for more than seven years only because Tiberius persisted in misjudging the situation, with the emperor's incompetence being revealed by the fact that, for years on end, he proved unable to dispose of a mere *latro*. In Chapter 7 I will deal with two further *latrones* whom Tacitus exploited for the same end, i.e., to expose Tiberius as an incompetent ruler: the slave Clemens, who, claiming to be Agrippa Postumus, took on the role of a master who had been killed with the knowledge and approval of Tiberius; and a false Drusus who, likewise, appeared to avenge a victim of the regime.

These observations therefore suggest that Tacitus' prejudice against Tiberius worked to the detriment of his characterisation of Tacfarinas. He was disparaged more than leaders of other rebellions, and depicted as a morally inferior enemy, in order further to justify criticism of Tiberius. Tacitus did not automatically depreciate provincial uprisings as *latrocinia*, as is shown by his handling of the Gallic revolt under Florus and Sacrovir, which he treats at length.[179] Florus, leader of the Aedui, and Sacrovir, of the Treveri, probably escaped castigation as *latrones* because of the high degree of Romanisation of Gaul and of themselves.[180] Furthermore, hostilities reached the level of a regular war.[181] So, if Florus had been captured, he would not have been treated like a *latro* but, as Tacitus emphasises, would have been brought before the Senate to answer a formal charge of treason (*crimen maiestas*).[182] Generally, Tacitus shows the Aeduan Sacrovir a certain amount of respect, which is ultimately expressed in his description of his death.[183] Tacitus' divergent assessments of the North African and the Gallic rebellions are all the more striking as these were contemporary events. He clearly intended his account of Florus and Sacrovir to serve a different purpose to that of the story of Tacfarinas. In any event, he did not shape what happened in Gaul into a tool for criticising Tiberius.

10 Conclusion

As charismatic leader of Lusitanian resistance to Rome, Viriatus is an embodiment of the 'noble' bandit. He was motivated by the desire to avenge the breach of faith of senior Roman commanders. Roman romanticism transfigured his upbringing as a herdsman in the mountainous regions of Lusitania, depicting him as developing his outstanding mental and physical qualities through bandit raids, and so putting himself in the same league as Romulus and Hannibal. If Roman authors called him a *latro*, this was not pejorative but rather an expression of the respect they had for him as a cunning guerrilla general who, with his ragtag army, taught Roman forces the lesson of fear. The secret of his success was his absolute personal integrity, which won him the loyalty and obedience of his men. His simple wants and his generous and just distribution of booty served to confirm his suitability for command; the reward for his surpassing virtue was invincibility.

In contrast to Viriatus the dazzling hero, the Roman commanders appear as pallid creatures – corrupt and decadent. After years of fruitless campaigning, the only way they could rid themselves of him was through secret contrivance. But this policy of despair served only to crown Viriatus' reputation of invincibility. Viriatus' murder served also to confirm the stock theme of the invincibility of the 'noble' bandit, which (as in, for example, the story of the fair division of booty) was taken up and developed in the many robber romances of Roman literature. The most obvious sign of the continuation of the Viriatus legend is what the sources say about Sertorius, making the latter – whom Roman political circumstances made leader of Celtiberian resistance – a true copy of Viriatus.

Quite different from Viriatus was Tacfarinas, the leader of rebellion in North Africa, the embodiment of the despised, 'common' bandit, who acted from motives unworthy of appreciation. Tacfarinas was a barbarian and, what is more, a deserter from the Roman army, who led a guerrilla war for booty and freedom. But these are not the only criteria that made him into a despicable bandit. Most important in this respect was Tacitus' deliberately setting him, a despised enemy, up against Tiberius, a despised emperor. In other words, Tacfarinas is an element of Tacitus' criticism of Tiberius.

So Viriatus and Tacfarinas appear in the sources as *latrones* not least because Roman writers used them to exemplify their own historiographical thinking: Viriatus, the 'noble' bandit, stands as an *exemplum bonum* in sharp contrast to the faithlessness of his Roman opponents. The 'bad' example (*exemplum malum*), Tacfarinas, the 'common', 'despicable' bandit, served to strengthen Tacitus' condemnation of Tiberius. Thus, for the first time, we can see that the *latro*, as we have him, is less a social type than a literary *topos*. This conclusion will be repeated in the following chapters.

3

LEADERS OF SLAVE REVOLTS AS *LATRONES*

1 Introduction

There were three groups of people in Roman society who, thanks to their living conditions, ran more of a risk than most of ending up as bandits: soldiers, herdsmen and slaves.[1] Life as a bandit was often the only alternative to their existence within the law. If a soldier no longer wanted to be a soldier, he deserted and eked out a living as a bandit. Classic instances of this are the deserters Tacfarinas and Maternus, dealt with in detail elsewhere (See pp. 48–55 and 124–35). In the Roman period, most herdsmen were unfree, though their living conditions were very different from those of all other slaves.[2] Whereas in the case of soldiers and slaves there was a clear boundary between their appointed condition and banditry, which was crossed by their taking a positive decision to embark on the physical acts of desertion or flight, for herdsmen this was much less clear. Thanks to their freedom of movement, they had the opportunity to indulge in banditry while managing their flocks thereby living a double life. At the time of the slave wars, it was, indeed, a feature of the Sicilian economy that many herdsmen acted in this way with the knowledge and blessing of their masters. Many embarked upon the road to banditry because large landowners were negligent in the care of their slaves and countenanced, indeed counted upon, this illegal contribution to the upkeep of their slave households.[3]

The following cases are particular instances of slaves – including herdsmen and freedmen – becoming *latrones*. Here I deliberately employ the term *latrones* because the Latin word (and of course its Greek equivalent *leistai*) has, when used in respect of slaves and freedmen, a much wider range of meaning than our 'bandits'. It is a reflection of the nature of our sources that the ancient authors say virtually nothing about the occurrence of common banditry among the unfree classes, concentrating almost exclusively on cases where there was at least some element of sensationalism, i.e., on *latrones famosi*.[4] On the other hand, this observation – by a Roman legal authority – shows that even jurists differentiated between minor and major banditry, which resulted in significantly heavier punishments for the *latrones famosi*.

What made the cases reported by historians sensational was usually their political dimension, which means that the circle of servile/freed *latrones* dealt with here may be regarded as a group of rebels and usurpers. 'Usurper' is here understood not in its narrow sense, as someone who unconstitutionally assumes the position of a ruler, but much more widely, as anyone who illegally arrogates to himself social or political authority.

2 The Republican slave wars as *latrocinia*

The slave wars of the Roman Republic were termed *latrocinia* in both official and literary circles. W. Hoben's work on the terminology has, through close analysis, enabled us to understand *latrocinium* as 'in its essentials, a term for organised resistance' and 'an offence under Roman criminal law'.[5] The following list, based on Hoben's thinking, details the many possible meanings of *latro* and *latrocinium* in the context of slave rebellion:

1 A slave uprising could of course be called *latrocinium* – a favourite label of disparagement – as an act of violence. The word should then be regarded simply as a term from the vocabulary of invective.[6]
2 Legally, slave uprisings constituted the criminal offence of *latrocinium* under Sulla's law on murder and poisoning (*De sicariis et veneficiis*) or the Julian law on violence against the person (*De vi*).[7]
3 In the course of slave uprisings, a concrete link to the original sense of the word *latro* was provided by herdsmen. Already notorious as bandits, they frequently took on leading roles because of their relative freedom of movement, their hard physical conditioning and the fact that they were armed.[8]
4 Rebellious slaves became plain *latrones* when, to supply their constantly increasing numbers, they had to turn to robbery.[9]
5 Also relevant to the slave wars was Roman legal thinking on regular and irregular warfare. Rome formally accorded the status of 'enemies' (*hostes*) only to those opponents recognised as sovereign powers under international law who had made an official declaration of hostilities or on whom Rome had herself officially proclaimed war.[10] She regarded all other military foes – whatever their strength in the field – as *latrones* and their actions as *latrocinia*. Though the theoretical legal distinction between declared and undeclared war (i.e., between *hostis*/*bellum* and *latro*/*latrocinium*) is not found in documents earlier than the imperial period, the language of the sources for the slave wars shows that it was already current in the Republican period.[11]
6 Finally, slave wars could be termed *latrocinia* because of the way in which they were fought. Lacking proper weaponry,[12] training and cohesion, slaves occasionally took to guerrilla warfare.[13] But in this respect one must be careful. Spartacus, for example (to cite just one case), needed

to resort to such fighting only at the start of his rebellion. Because so many rallied to his cause, his slave army quickly became strong enough to operate in the field.[14] The sheer size of his forces compelled Florus to refer to Spartacus as a *hostis* though, consonant with the legal distinction between *hostes* as regular and *latrones* as irregular foes, with the telling phrase, 'it shames me to say' (*pudet dicere*).[15] In line with this thinking, the three great slave wars were similarly referred to as *bella* in the official senatorial language of the time.[16]

All these aspects of the use of the terms *latro* and *latrocinium* are basic and are applicable to slave wars in just the same way as they are applicable to every other violent uprising in the Roman Empire. In this respect, the fact that the slave wars were perpetrated by the unfree had no influence on writers' choice of words. Slave revolts were not labelled *latrocinia* because they were led by slaves, but because they were, as revolts, acts of violence against the Roman state. Likewise, the circumstance that runaway slaves became bandits more or less as a matter of course had nothing to do with slave revolts being described more closely in terms of banditry than, say, uprisings in provinces or cities.

All these aspects of *latro* and *latrocinium* also relate to slave revolts as a whole, not to participating individuals. Though slave leaders were, as individuals, termed *latrones* and *leistai*, in their case these words had a meaning to some degree different from the blanket terms applied to the revolts in general. On this note, we can now look at particular slave leaders in their role as *latrones*.

In their depiction of slave leaders as *latrones*, Roman writers drew upon specific established elements of a literary bandit typology which intentionally stimulated automatic preconceptions among their readers who were already acquainted with these as regularly recurring patterns in other contexts. We already know of some of these from what we have come across so far in this study. For example, we have already encountered the 'common' and 'despicable' and the 'noble' bandit. However, in applying this literary pattern specifically to unfree leaders of revolts, authors made significant variations which broaden our knowledge of the evolution of the bandit *motif* and allow us a better understanding of Roman deployment of the word *latro*.

3 Eunous, Cleon and Comanus

We begin with a negative finding. Eunous, the best known of the slave leaders of the Sicilian war escaped personal defamation as a 'bandit'. Let us simply accept this and defer explanation until later. Unlike Eunous, the source tradition gives Cleon, Eunous' colleague, the profile of a *latro*.[17] Cleon first operated alone, independently of Eunous, as the leader of dissident slaves in southern Sicily.[18] Before long, however, to facilitate a consolidation

of military strength, he put himself and his supporters, supposedly 5,000 strong, under the command of Eunous.[19] As noted, the Roman sources labelled Cleon a 'bandit'.[20] He came from Cilicia[21] where, from the middle of the second century BC, as a result of the insecure political conditions of the Hellenistic world and for want of any better prospects, the flourishing slave trade with Rome drew a significant proportion of the population into organised piracy. In Rome, therefore, Cilicians were on principle regarded as bandits.[22] In addition, once in Sicily Cleon was employed as a slave herdsman. Again, he was automatically considered a bandit since he, like many a Sicilian herdsman, had to supplement his income through robbery. Combined, 'Cilician' and 'slave herdsman' amounted to more than the sum of its parts, producing a type which, in Roman eyes could hardly be more dangerous, the 'bandit' *par excellence*. A good example of this classification is Diodorus' brief introduction of Cleon: as a Cilician from the Taurus range, brought up among bandits, employed in Sicily to tend horses and, while a horse-herder, continually preying on travellers and committing all sorts of murderous acts.[23]

As a Cilician and as the comrade-in-arms and close relative of Cleon, Roman authors were of course equally prejudiced against Comanus, Cleon's brother. A report of him transmitted by Valerius Maximus under the heading 'extraordinary deaths' (*de mortibus non vulgaribus*), adds a significant facet to our view of bandits of his ilk.[24] Comanus was captured during the taking of Enna in 132 BC, and brought before the consul Rupilius who had directed the siege. Interrogated by Rupilius and questioned by him as to the strength of the rebel slaves and their aims, Comanus brought his head right down as if wishing to give his answer deep consideration. But what he really did was to bring his head hard down on his knee, preventing his breathing and causing his own death by asphyxiation. In the words of Valerius Maximus, 'He found the safety he craved in the middle of the crowd of guards and under the eyes of the highest authority.'[25] This is dramatic testimony not only of cool contempt of death but also of invincibility – the invincibility that occurs in so many different ways in the sources that I have labelled it a basic characteristic of the ancient bandit. One example among many is that of the Sicarii at Masada, dealt with further in Chapter 5, on the *leistai* of the Jewish War. This, the most famous case of suicide, is similar to Comanus' in that those concerned, again to borrow the words of Valerius Maximus, 'snapped the slight bond between body and soul' by their own hand.[26] In other words, they denied their conquerors access to their souls, their wills and their aspirations, and left them only lifeless corpses.

Given that Cleon was generally held to be a despicable, bloodthirsty bandit, one is entitled to ask how Eunous escaped the degradation of being ascribed traits from the stock character of the 'bandit'. This fact by itself does not mean that the latter fared better in the judgement of history than the former. We learn that he was a Syrian from Apamea, who palmed off

cheap tricks on the people of his acquaintance supposedly as proof of his supernatural powers, trying to persuade them that he was under the special protection of the 'Syrian goddess', i.e., Atargatis-Astarte, who had promised him kingship.[27] Eunous subsequently indeed became a king, of the slave rebels of Sicily, an office which, according to Diodorus, he held by virtue of neither his courage nor his warlike abilities, but rather because of the attention which he had drawn to his person, because it was he who had stimulated the rebellion and because of the hopeful expectations inspired by his name – 'the Benevolent' – among the repressed.[28] By means of carefully chosen forms of expressing his monarchy (such as a diadem, royal dress, a princely household and a luxurious lifestyle), by the assumption of the Seleucid royal name of Antiochus, rich in tradition, and through the designation of his 'subjects' as 'Syrian', Eunous gave his slave state the outward appearance of an Hellenistic monarchy, the power of which, without doubt, affected both its internal operation and the way in which it was received externally.[29]

It is clear that, at least by the time of Diodorus' description of his capture, the slave king did not escape being labelled a *latro* because he was more respected than his comrade, Cleon. According to Diodorus, Eunous, the wonderworker and monarch, panicked and hid himself away in some hole. Run down in his lair, he was dragged out into the light of day in the company of four others: his cook, his chef, his masseur and his fool.[30] It was not that Eunous was better than a *latro*; rather, he was simply transferred to another category, that of the degenerate Hellenistic monarch, which in Roman eyes was just as despicable as that of 'bandit'.

4 Salvius and Athenion

As in the first, so in the second slave war the leadership of the rebellion rested with two men. Salvius,[31] its commander-in-chief, is depicted straightforwardly as a second Eunous and thus as no *latro*. The similarities between the two start with the former's skills in divination and his Hellenistic/oriental royal household, and extend, by way of his formal proclamation as king, to his assumption of a suggestive regal name, Tryphon.[32] Apart from the correspondence of their both having chosen Hellenistic royal names, Eunous and Salvius are also alike in respect of their original names. Eunous means 'The Benevolent' and Salvius has a positive connotation as 'The Saviour'. As we have already seen, there is direct evidence that the slaves of the first revolt considered the name Eunous as favourable, portending a good ruler. We may therefore suppose that those of the second revolt were likewise ready to seize on various types of omens. They too may have perceived a lucky sign in 'Salvius', even though it was a common slave name, to which under normal circumstances no one would have attached any particular meaning. We do not know how Eunous came by his name. Similarly, we know nothing about who Salvius got his name from, or whether he exploited its

supernatural potency.[33] It may, therefore, be simply fortuitous that both slave leaders bore names that had an attractive ring. On the other hand, given the symbolic baggage carried by each of these, it should not be ruled out that our sources unwittingly recorded both leaders under names which their bearers assumed just as deliberately as they later did the regal names Antiochus and Tryphon.

Salvius-Tryphon was active in eastern Sicily. In the west, Athenion and his rebels put themselves under his general command. Athenion[34] is never expressly termed *latro* in the sources, but this would have been redundant given Diodorus' statement that he was a Cilician, complemented by Florus' assertion that he was a herdsman (*pastor*).[35] As in the case of Cleon, either of these characteristics could, from the Roman point of view, be synonymous with *latro*; together, they amounted to a representation of a particularly fearsome bandit. It suited this picture that Athenion was presented as 'a man of outstanding courage',[36] who had killed his master, freed his fellow slaves from their prisons (*ergastula*), recruited and trained a slave army, crowned himself king and then proceeded to take villages, cities and fortresses.[37] Thus Athenion did not embody the pure form of *latro* like Cleon. Rather, he amounted to a combination of Eunous and Cleon. The Cilician *pastor* likewise legitimised his position in the eyes of his followers by calling on the gods.[38] He also laid claim to supernatural powers and wore a diadem as a sign of his royal authority.[39]

All usurpers were of course characterised by their anxiety to lend credibility to their elevation by means of external trappings. What Diodorus relates could therefore be dismissed out of hand as sheer invention. The occurrence of close similarities – sometimes down to the smallest detail – between his reports of Eunous-Antiochus and Cleon on the one hand and of Salvius-Tryphon and Athenion on the other, makes it more or less certain that he was using literary stereotypes.[40] The two 'chiefs' are portrayed as divinely sanctioned monarchs bearing Hellenistic names and are portrayed as representatives of a decadent eastern ruler-type. By contrast, Cleon and Athenion, the two 'lieutenants', both Cilicians, are made out to be *latrones*. Common to all four was that, as *latrones* or as rulers, they represented the population of the Hellenistic world in the Roman West, in both instances with a negative connotation.[41]

The boundaries between historical fact and literary convention again mix and merge, making it almost impossible to decide which details are real and which the products of fiction or literary tradition. Otherwise, returning to Athenion, the slave leader was characterised by his 'venting his rage upon the masters, but still more violently on the slaves, whom he treated as renegades'.[42] What Florus says here corresponds well with Diodorus' information that Athenion imposed absolute discipline upon his underlings. He recruited only the best of these into his army and forced the rest to stay where they were and perform their usual tasks with diligence. It was this,

according to Diodorus, which enabled him to secure the delivery of basic supplies to his army.[43] Organisation and discipline are themes which also occur, in various forms, in other 'bandit tales'. They belong under a general heading which may be termed 'the robber band as a state'. 'Bandit states' were particularly tightly run, based on the unconditional loyalty of their subjects to their leaders and characterised by absolute discipline. Such were the traits of, for example, the bandit states of Viriatus and Bulla Felix;[44] but I will leave any general conclusions to be drawn from these until later.

Athenion had put himself and his troops under the command of Salvius-Tryphon, in just the same way as Cleon had subordinated himself to Eunous. In 102 BC, after Salvius' death, the leadership of the slave war fell into his hands. In the following year, Manius Aquillius, consul with Marius, defeated him in a spectacular duel, general against slave. Despite his defeat, the fact that Athenion was in a position to challenge a Roman consul to single combat is a very real measure of his status as an enemy of Rome. His glorious end contributed considerably to establishing his reputation as an audacious hero.[45] That Athenion remained in people's memories is evidenced by the fact that contemporaries compared men of the Civil War period to him. Sulla's troops, for example, gave Fimbria the nickname 'Athenion'. The reason for this was that Fimbria was supposed to have attempted to assassinate Sulla using a slave, promising him freedom as a reward.[46] Cicero declared that Timarchides, the corrupt freedman of Verres, had exceeded even Athenion as slave king of Sicily, ruling unchallenged for three years over all the cities of the island.[47] Later, in 56 BC, Cicero paid Athenion the compliment of comparing him with Clodius[48] who, as aedile, had promised to take up the social position of slaves and freedmen.[49] In this context, Cicero refers specifically to the festival of Cybele ('Megalesia'), at which Clodius, like Athenion before him, was supposed to have welcomed slaves as spectators. This passing reference provides an otherwise unattested detail of the internal working of Athenion's slave state. Clearly, public games also figured among those arrangements which gave this state – an artificial creation – an authentic structure and helped bind it strongly together.

5 C. Titinius Gadaeus

We encounter a *latro* wholly different from Cleon and Athenion in another protagonist in the second Sicilian slave war, C. Titinius Gadaeus.[50] A very colourful character, at the start of the revolt he was employed by the provincial governor, P. Licinius Nerva, to spy on the slaves. Two years earlier, Gadaeus had been condemned to death on the grounds of serious and long established felony. We do not know the crimes for which he was punished. However, he had escaped the execution of his sentence by flight, and since then had lived in the region as a bandit, killing many freeborn, but never – so we are expressly told – attacking slaves.[51]

Licinius Nerva had captured Gadaeus, but persuaded him to undertake a dangerous mission by dangling before him the prospect of exemption from punishment. Together with a group of slaves who had remained loyal to their masters, he was to offer help to the rebels. He won their trust, so that they finally appointed him military commander.[52] He carried out his secret orders and forthwith led the unsuspecting slaves into disaster. Thereafter we hear no more of him.

In Diodorus' account, Gadaeus the *leistes* plays a contradictory role. His most striking characteristic, limiting his attacks to the freeborn, suggests some sort of social motivation,[53] all the more remarkable because Gadaeus was himself no renegade slave but rather, to judge from his name-form, a Roman citizen. Of course, this does not mean that he was born free. K. Bradley sees his unusual third name (*cognomen*) as an indication that he had formerly been a slave.[54] This might explain why Gadaeus spared the unfree; but an argument based on his name alone is not really strong enough to allow such a significant conclusion. According to J. Ch. Dumont, Gadaeus' implied criticism of society should not be understood merely as a literary flourish, but as what he actually felt. Dumont ascribes the same feeling to Cleon, slave leader of the first Sicilian war. He takes the banditry practised by both these men to be a form of protest against slavery: 'Pourtant, l'un comme l'autre vivent leur banditisme comme une protestation contre l'esclavage.'[55] Later, he returns to confirm this point: 'Il est impossible de refuser à ce banditisme son contenu social' and in the end, as he must, turns to Hobsbawm's 'social bandit' as a model for Cleon and Gadaeus.[56] If ever two bandits of Antiquity were not social bandits, it is this pair. Of what we know of Cleon, there is nothing to bring him even close to being a social critic and everything to suggest that he was a self-seeking adventurer. And Gadaeus hardly held back from handing over the slaves, whose trust he had so falsely won, for execution. He did this for his own selfish ends – to save his neck from the Roman noose.[57] As a result, the story about the bandit who made a point of sparing slaves loses all its credibility. As we shall see, comparable statements about Bulla Felix, who is supposed to have robbed only the rich, may be similarly explained.[58] No bandit bent on plunder would bother himself much with slaves, who usually owned nothing. This concept was, perhaps, a variation on the theme of the *latro clemens*[59] – a figure of romantic fiction, who has no place in the harsh realities of the period of the slave wars.

6 Spartacus

In what our sources tell us about Spartacus we have the most vivid picture of any slave leader of the Roman period. This completes the spectrum of *latrones* of the slave wars by adding another new type.[60] In a short but telling passage, Florus summarises his career: '. . . from a Thracian mercenary to a

regular soldier, from a soldier to a deserter, from a deserter to a bandit, and from a bandit – thanks to his strength – to a gladiator'.[61] This four-stage career – *miles, desertor, latro, gladiator* – resembles, as we have seen, Florus' description of that of Viriatus – *venator, latro, dux, imperator*.[62] What makes them different are their opposing directions: in the case of Viriatus, 'upwards', to virtually become the Spanish Romulus; in the case of Spartacus, 'downwards', to become an agitator of slaves. Again as we have already seen in respect of Viriatus, such judgements about each man had much to do with the respective aims of their uprisings.

We are already familiar with the circumstances in which Spartacus appeared as a 'bandit' from the events of the two Sicilian slave wars. In his movement, too, we can see four-fold *latrocinium*. To feed hordes of followers there had to be looting and robbery – *latrocinia*;[63] the rebels were often driven to guerrilla warfare – *latrocinium*.[64] And those who supported it – slaves (*therapontes*), deserters (*automoloi*) or rioters (*synkludes*) were in association, *latrones*.[65] The obvious difference between Spartacus the *latro* and *latrones* such as Cleon, Athenion and Titinius Gadaeus is that our sources give him more than the negative attributes of the common bandit. On the contrary, certain Roman authors give him so many characteristics of the 'romantic' brigand that we may count him as a 'noble' bandit.

Plutarch is generally very sympathetic to Spartacus, describing him more favourably than all other sources. In his view, the Thracian gladiator was endowed with intelligence (*synesis*) and prudence (*praotes*); and he stresses that Spartacus was no ordinary barbarian, like the rest of his countrymen, but much more civilised than them (*kai tou genous Hellenikoteros*).[66] Even less well-inclined writers could not help but concede that Spartacus possessed significant organisational skills, strategic vision, considerable qualities of military leadership and immense personal courage.[67] Part of the tragedy of the man was that he was always by far the superior of those he led, as he alone could discriminate between what was possible and what was mere fantasy. However, he was unable or unwilling to impose his views on others. On two occasions this led to misfortune. Spartacus wanted to lead his followers over the Alps into Gaul, beyond the imperial frontier to freedom.[68] This plan was, at least according to Plutarch, born of his realisation that in the last resort he could not defeat the power of Rome. In other words, as Plutarch explicitly states, Spartacus had not been deluded by his success – unlike his supporters who, lusting for plunder, decided against his advice to head back into southern Italy.[69] A similar situation arose after Crassus had taken command of the war and mobilised a huge force. A partial success against him, quickly won but clearly no knockout, induced the slaves to overestimate their capability.[70] They now felt strong enough to settle the issue in open battle. Spartacus advised insistently against taking such a risk, but in vain.[71] He was proved right, since the battle was lost and with it the war.

The same defensive strategy that Spartacus urged unavailingly on his men had been prescribed to Roman forces by the dictator Q. Fabius Maximus when, following the disaster at Lake Trasimene in 217 BC, it would have been dangerous to risk a further pitched battle with Hannibal. However, his second-in-command, his *magister equitum*, M. Minucius, then managed to persuade the Roman Establishment to adopt an offensive strategy. Hannibal thereupon brought Minucius into dire straits; but in the end Fabius Maximus, 'the Delayer', was able to resolve the crisis.[72] It was only this ultimate success that was the difference between Fabius Maximus and Spartacus. Plutarch, with Q. Fabius Maximus in mind, turned the dispute between Spartacus and his men concerning the correct strategy into an object lesson. His biographer could not of course compare the slave leader directly with heroes of Roman history, even when he was setting off the sympathetic Spartacus against the unsympathetic Crassus. However, he could legitimately expect his readers to recognise the parallels between Spartacus and Fabius Maximus without further direction. Roman anthologies of improving stories were full of the Delayer; and, of course, Plutarch himself wrote about him.[73]

The eagerness with which Roman authors deployed the idea of hubris in assessing Spartacus, whether positively or negatively, together with the unreliability of such statements, may be seen in the following conflict of opinions. As we have seen, Plutarch cleared Spartacus of any notion of delusion, while accusing his followers of arrogance. Florus judged the plan to march on Rome a sign of presumption, but saw Spartacus, and not his followers, as responsible for the decision.[74] However, it is clear from the totality of Florus' account that he saw Spartacus in a much worse light than did Plutarch, who knew nothing about any scheme of marching on the capital. Again, Appian, whose views on Spartacus lie somewhere between Florus' remorseless disapproval and Plutarch's thorough-going idealisation of him as the leader of men *par excellence*, emphasised by reference to the planned march on Rome, the measured judgement of Spartacus, who consciously distanced himself from the project, since he appreciated that there was a lack of arms, discipline and, above all, expertise.[75] Here, it is also clear that the positive assessment of Spartacus, especially when contrasted against his immoderate and over-confident followers, cannot be regarded as an invention of Plutarch, for it occurs in Appian's account as well. It may, in the last analysis, derive from a source common to both writers (probably a work of the later annalistic school, but perhaps also Sallust's 'Historiae' which, to judge from the extant fragments, were extremely well-disposed to Spartacus).[76]

Unlike Eunous and Salvius, Spartacus did not project himself as a monarch and, as we have seen, to his cost permitted his troops some freedom of opinion. However, he also gave his movement various trappings of a state, and observed some basic operational ground rules.[77] But all this should be characterised, again, as *leges latronum*. For example, we can deduce from the sources that, as one of the marks of a state, religion played an important part

in the Spartacus' 'bandit-cooperative'.[78] The due observance of religious rites was the task of a commander-in-chief and statesman. Cult and religion emerged as a matter of course as integrating forces not only in a conventional state but also in a bandit community. The religious affairs of Spartacus' slave state appear to have been very much determined by his wife. Also a Thracian, she is presented by Plutarch as a soothsayer (*mantike*) and as a participant in the mystery cult of Dionysus. According to him, she prophesied, from signs from the gods, that Spartacus would enjoy good fortune.[79] Spartacus himself held magnificent funeral games after members of his general staff had fallen in battle. In the course of these games gladiatorial contests were held – exactly as happened at the death of a Roman commander. Florus, to whom we owe this information, indignantly observed that the slave leader probably wanted to obliterate his inglorious past and transform himself from gladiator into *munerarius*, i.e., a senatorial patron of the games.[80] There can be no doubt that Appian's report that Spartacus was supposed to have expiated the death of Crixus by the ritual execution of 300 Roman prisoners-of-war is derived from a source that was hostile to Spartacus.[81] The crime falls into the same category as other, equally fictive, instances of human sacrifice, which we will encounter later with other 'robber bands', for example Catiline and his conspirators and the Bukoloi in their uprising under Marcus Aurelius.[82] A further act of 'human sacrifice' – when Spartacus ordered the crucifixion of a Roman soldier between the lines of the two armies – was probably calculated rather to shock: to demonstrate to his own people what would befall them if they lost the fight against Crassus.[83]

The model of Spartacus' slave state was, it appears, not a Hellenistic monarchy but the Roman Republic. This can be seen from his adoption of Roman burial customs featuring gladiatorial games and from the report that he employed the insignia and fasces of defeated praetors as marks of his personal authority. Florus attributed this, and Spartacus' use of stolen horses as mounts for his own cavalry, to his desire to give his body of slaves 'what was appropriate to a proper army'.[84] Spartacus' intention to establish a proper army may also be seen in the slaves' use of captured weaponry and their production of their own.[85] As one source of raw material Spartacus used the iron from the slave houses.[86] The forging of fetters into weapons obviously has all the appearance of a symbolic act, changing the masters' tools of oppression into instruments of their downfall. This piece of information is surely the invention of a writer set on making a dry factual report more exciting by the inclusion of dramatic elements. The fetters from the slave prisons would, of course, have been nowhere near sufficient to satisfy the need for metal of a force numbering thousands of men. On this point, therefore, we would do better to trust Appian, who says that, in managing the finances of his slave state, Spartacus gave priority to the purchase of ore and unworked iron and so guaranteed that his force could produce its own weapons.[87]

From this last may be inferred something that has spurred speculation about the ideological basis of Spartacus' slave community. In this context, Appian says that Spartacus ordered traders not to bring in gold and silver, and banned his own people from owning precious metals.[88] A number of interpreters have seen this injunction as a protest by the rebels against the corrupting effect of gold and silver, as the most recent of them puts it, a 'leçon de morale et de grandeur d'âme tout hellénique' addressed to the Roman ruling class.[89] However, in the light of the movement's otherwise generally non-ideological concerns, this seems mistaken. That Spartacus' prohibition had an ethical undertone was, of course, already the thinking of the elder Pliny, when he marvelled at the higher feeling shown by the renegade slaves, as evidenced by this measure.[90] However, his appreciative aside was probably more the extrapolation of an historian heavily influenced by (? Sallustian) dissatisfaction with contemporary Roman culture and perception of decadence than a positive assessment of Spartacus.

There is no denying that critical reservations concerning precious metals as pernicious extravagances were part of the standard repertoire of ancient moral philosophy, and that prohibition of the possession of gold and silver was one of the basic rules of Spartan community life.[91] Though this might at first seem to be in the same category as Spartacus' injunction, it has very little in common with it. Appian locates the measure very precisely in the context of the siege of Thurioi. There is no indication that it was meant as a general prohibition. Rather, it seems to have been a particular way of solving a particular problem: the securing of the supply of weapons in a militarily critical situation.[92]

From a source favourable to Spartacus, Appian picked up the information that Spartacus ensured the cohesion of his force through his possession of the prime virtue of a bandit leader, insistence on the fair distribution of loot.[93] Appian has already told us that that the same quality was to be found in Viriatus.[94] Generally, as demonstrated in Florus' parallel treatment of their four career-stages, Spartacus and Viriatus come close to each other in respect of a number of the characteristics of the 'noble bandit'. This leads one to think that the hero of Lusitanian resistance may have served as the model for the depiction of the leader of the Italian slave revolt. Overall, Spartacus' qualities gave him the charisma of the ideal political and military leader. Although Roman forces were victorious in this war too, they made heavy going of it and succeeded only in its third year after Crassus had recruited new troops far and wide and forced the issue. Not only did the Roman commanders underestimate the power of the slave army for too long, they also had to deal with considerable discipline problems among their own men – hardly surprising in a war with no booty. In the end it was very important for Crassus that he ended the war by himself, without outside help. Senatorial circles, unwilling to believe that he could pull this off, had already summoned Pompey from the East. Pompey was already a great general; Crassus

longed to be one. The former threatened to challenge the latter's claim to victory.[95] The war against Spartacus and his runaway slaves thus became a matter of honour for Romans in general[96] and for Crassus in particular. Under such pressure Crassus took desperate measures to bring his troops to order. He even resorted to the most savage of military punishments: decimation,[97] a punishment apparently invoked more frequently in the war against *servi* and *latrones* than in any other. Although it was otherwise rarely carried out, it makes it all the more remarkable that it was applied in yet another conflict with *latrones*: we have evidence that the Roman high command ordered its use in the war against Tacfarinas.[98]

As noted, Spartacus warned his men against a pitched battle with Crassus' legions. In the end, once this could not be avoided, the downfall of the slave army was sealed. Spartacus would not have been a true *latro* had he not fought to the bitter end, taking up his position in the front line while the majority of those still alive had given up and fled.[99] In this, too, he demonstrated the superior qualities of the ideal commander. Even Florus, who otherwise presents a consistently negative picture of the man, could not fail to respect the way in which Spartacus met his end: 'Spartacus himself fell, as became a general, fighting most bravely in the front rank.'[100] Death in battle was the honourable end of every fighter, but in particular of every *latro*. *Latrones* generally found themselves vying with each other for an end that was, if not victorious, then at least distinguished, and Spartacus was the superior of them all. In the hero's death we can see a further constant of the Roman perception of the *latro* which, of course, in reality was no more than a projection of Roman ideals on the construct of the bandit figure.

7 Selourus, son of Etna

Selourus, who terrorised eastern Sicily under the Second Triumvirate, is that rare creature – an authentic robber chief.[101] The preservation of his name indicates that he created great sensation. After he fell into the hands of the Roman authorities, they wreaked upon him a (literally) spectacular execution, the details of which will be considered below. For the moment, suffice it to say that the extraordinary cruelty with which this was carried out is understandable only as the result of a traumatic dread of banditry.

This is the justification for dealing with the end of Selourus here, in the context of leaders of slave revolts. Clearly, Roman officials saw in the bandit a potential fomenter of slave unrest whose arrest had, in the nick of time, prevented a new slave war in Sicily. The Roman land-owning class had learned nothing from the Sicilian insurrections and the war with Spartacus.[102] The danger of a new slave war receded only during the Principate, with the falling-off in availability of large numbers of prisoners-of-war and a gradual change in the structure of agriculture which led to more and more land being

worked by free tenant farmers (*coloni*). Thus, in the first couple of generations after Spartacus the slave problem had lost none of its explosiveness.

We can see all this not just from such general considerations but also from the context in which Strabo sets his short account of Selourus. A geographer, he describes living conditions in the centre of Sicily, which leads him to discuss its pastoral economy. According to him, those in charge of the island's herds of horses, cattle and sheep were a source of constant and significant danger, since they had come together in large numbers and given themselves over to banditry. For example, Eunous and his men had seized the city of Enna in the centre of the island. Recently, Strabo immediately continues, a certain Selourus, at the head of an army, for a long time made the region around Etna insecure also through continuous bandit raiding.[103] Even though it is not explicitly stated, there can be no doubt that Selourus progressed from herdsman to bandit.[104] In terms of the threat he posed he is comparable to Eunous.

The chronology of these events may be deduced from Strabo's biography.[105] His introductory 'recently' (*neosti*) and the information that he was an eyewitness to Selourus' execution place the episode during his stay in Rome. On his own testimony, he was resident in the capital from 44 BC.[106] By 29 BC he was in Corinth, breaking his journey as he returned from a trip to Asia Minor.[107] The transportation to Rome of a bandit caught in Sicily between 44 and, say, 30 BC could hardly have occurred before Octavian's victory over Sextus Pompey in 36 BC. Pompey is supposed to have assembled runaway slaves in his stronghold of Sicily. Augustus claimed to have captured almost 30,000 of them in 36 BC and to have restored them to their owners for punishment.[108] This, then, was the time when Selourus had established himself on Etna as the leader of a robber band. His comrades may have included runaway slaves who had slipped through the net of Octavian's hunters. This may also explain why Selourus was dealt with so harshly.

Selourus was infamous as 'the Son of Etna'. The volcano afforded him protection from pursuit and, wreathed in secrets and inspiring dread, lent him something of its aura. This gave him charisma and respect. If we think of the volcano, the parent and protector of Selourus, as divine, his nickname even has something of a religious tone.[109] Selourus commanded a band of considerable size. Strabo, no doubt exaggerating, refers to it as a full army (*stratia*). With its help, Selourus was able to hold out for a long time. Whether or not he was involved in it, he must surely also have profited from the political unrest of the Civil War, which for a number of years removed Sicily, as the main base of Sextus Pompey, beyond the grasp of the imperial government.

The true extent of Selourus' notoriety was demonstrated in the spectacular manner of his execution, which Strabo reports as an eyewitness. It took place in Rome, not Sicily, and was presented after the fashion of a gladiatorial

display. There was a lofty stage set, meant to represent Etna. At the top of this was Selourus, fettered; at its foot were cages of wild animals. The structure was made to collapse in such a manner that parts fell away smashing the bars of the cages and carrying off Selourus into the depths, where the beasts tore him to pieces.[110] The drama was rightly seen as a symbolic representation of an eruption of Etna which transformed the sign of the power of Selourus into the instrument of his annihilation: Etna vomited out her own son.[111] Such a killing was not just the fantastical execution of a condemned felon, and amounted to more than the symbolism described above. Given that the danger of a new slave war had been averted, Selourus' end was, in its occasioning if not in its form, the equivalent of a human sacrifice, meant to rid people of fear.[112]

8 Conclusion

For slave leaders to be termed *latrones* and slave uprisings to be called *latrocinia*, more or less the same conditions applied as in the case of rebellions involving the freeborn. The terms *latrones* and *latrocinia* could be at once a legal categorisation – designating an irregular enemy and the guerrilla warfare that was his means of combat; an expression of contempt for a foe of low social status; and, finally, a reflection of the fact that in slave uprisings the rebels also resorted to robbery and plundering.

The leaders of slave rebellions corresponded to those types of *latrones* that we have seen embodied in, for example, Viriatus and Tacfarinas. On the other hand, the arbitrary way in which slave leaders were seen as belonging to other types is revealed in the contrast between Eunous and Salvius – 'decadent Hellenistic monarchs' – and Cleon and Athenion – 'common bandits'.

Spartacus provides a particular example of the fact that different authors could designate one and the same historical personality to both of the basic robber types, the 'noble' and the 'despicable'. This again confirms the observation that the bandit is a stock theme of literature, not a social type.

4

POLITICIANS AND PRETENDERS AS *LATRONES*

1 Introduction

The terms 'politicians' and 'pretenders' do not tell us very much until we establish which political system they relate to. I have deliberately exploited this lack of precision in the title of this chapter, which deals with politicians of the Republic, emperors and usurpers, and men of power in client- and border-states of the Empire. The sole criterion for inclusion is that the sources term them bandits. Thanks to this very mixed bunch one can identify another type of *latro*: the politician vilified by his opponents as a 'bandit'. In doing this, they question his legitimacy, i.e., they refuse to acknowledge him in the position he claims. In this usage occurs, again, the figurative employment of *latro*.

Here, as previously, I deal with the basic – prosopographical – material chronologically, in order to demonstrate the way in which the usage of the word developed. We begin, in section 2, with the internal politics of the late Republic, during which the meaning of 'bandit' dealt with here first emerged.[1] At that time, during the crisis of the Republic, one's domestic enemies were one's competitors for the high offices of state, in particular the consulship and the great proconsular commands, which formed the basis of political power, social status and personal wealth. The term 'bandit' was, with all the connotations that it had acquired in these circumstances, then applied to the local dynasts of the late Hellenistic East. This is dealt with in section 3 of this chapter. Section 4 looks at the evidence from the time of the Principate. Then, an emperor's chief political opponents were those who challenged him for the imperial office, i.e., usurpers. In the later third century, a usurper is called 'the brigands' standard-bearer' (*vexillarius latrocinii*)[2] and described as a bandit, and this should be seen as the readoption of a figure of speech that first appeared in the Republic, disappeared during the Principate, and was rediscovered in the period of the 'Crisis'.[3] When, finally, in this period of disintegration of Roman unity at the periphery of the Empire, important personages created new, local dynasties, they too were described as and termed 'bandits', as had happened during the collapse of the Hellenistic world.

2 *Latro* as a new expression in the political invective of the late Republic

Latro entered the language of political abuse during the crisis which marked the fall of the Republic. It was Cicero, in fact, who first introduced the use of the term 'bandit' against political opponents into the polemical discourse of the assemblies, the Senate and the courts.[4] He gave his prototype of the life-and-death political opponent as *latro* the features of his deadly personal enemy, Catiline, by depicting the conspirator and his accomplices as a robber band and calling his actions and plans *latrocinia*.[5]

It goes without saying that Catiline and his crew were afforded none of the traits of 'noble' bandits, only those of despicable, common criminals, 'meditating nothing but murder, arson and pillage'.[6] According to Cicero it was permissible to combat Catiline's 'patent robbery' with 'an open war'. Roman citizens had no cause to fear this, thanks to 'the want and poverty of that bandit'.[7] Finally, Catiline is described as being proud of the fact that he preferred to die as a bandit than to live as an exile.[8] Penury, need, the greed for plunder and violence, together with audacious courage and pride, were all elements in the Roman picture of the 'common', despicable bandit. We hear of the greed of the indigent (*egentes*), for example, in almost every one of Tacitus' accounts of uprisings and rebellions.[9] It would, however, be wrong to assume that such stock themes say nothing about historical realities. In the portrait of Catiline that he offered to the public, Cicero was very well placed to convince people of his enemies' poverty and lust for booty thanks to the problem of general indebtedness – at the time a dangerous social time bomb. Catiline had made this sensitive political issue his own, and had promised relief.[10] In this way he won a great following among debtors who, in the polemics of their opponents, could be cried down as have-nots, longing to take the property of others. This gives us one concrete link between the basic meaning of *latro* and the one transferred to the political arena. I. Opelt has already indicated another: 'The particular feature of the politician who is called a *latro* which can be linked to the original meaning of the expression is that he has assembled an army, i.e., – to stay in character – a "robber-band" '.[11]

The individual contribution that Cicero made to widening the repertoire of political polemic in defaming Catiline as a *latro* may be seen in the fact that Sallust, in his account of the conspiracy, refrains absolutely from describing Catiline personally as a bandit. This should not be seen as, say, indicating that Sallust judged Catiline more favourably than Cicero. Rather, such a variance in categorisation by two contemporary writers seems to express authorial individuality. In this respect, it may be not so important that in Sallust's 'Catilina' we are dealing with an historical work and in Cicero's *Catilinariae* with political speeches, since the latter exist in the form in which they were revised for publication. Permeating the Catilinarian

orations is Cicero's personal animus. He refined what was clearly his favourite political term of abuse and by lending it his rhetorical authority endorsed its use by later ardent polemicists.

Not long after Catiline's fall, Cicero had to face another deadly enemy among his political opponents. This was P. Clodius, who projected the execution of the conspirators as an infringement of Roman citizens' rights of appeal, forced Cicero into exile and was a few years later killed in street fighting against the thugs of Milo. Such a *curriculum vitae* made it almost inevitable that Clodius figures as the second *latro* among Cicero's enemies, but he was not alone.[12] In his invective, Cicero worked himself to such a pitch[13] that he put Aulus Gabinius and Calpurnius Piso, the consuls of 58, in the same category as likely partisans of Clodius. According to him, the pair were the worst people could remember; they were not consuls but *latrones*, who not only abandoned him when he was in need but also offered him up to the knife.[14] Against Clodius he exploited the full range of a rhetoric that even in the field of insult was incomparable in its vocabulary, variety and inventiveness: W. Will has been able to assemble around 50 to 60 terms of abuse.[15] There is no need to pursue this any further here as we are concerned only with the introduction into and development of the term 'bandit' in Roman political discourse.

We do not have far to go. The third politician of this period to be calumniated by his opponents as a *latro* was, apparently, Julius Caesar. In the light of what happened to Catiline and Clodius it is hardly a surprise. This time, however, Cicero was not involved. Indeed, it suggests a certain degree of respect on his part with regard to the Dictator that he maintained such restraint – at least with regard to his deployment of the term 'bandit' – even after the Ides of March. This word which, in the meantime, had become widely applied as a term of abuse, was applied to Caesar by Lentulus just before the outbreak of the Civil War.[16] In the following year, we are told, Pompey had recourse to the same image in an address to his troops before the battle of Pharsalus. According to Appian, Pompey attacked his adversary, Caesar, as 'a single individual who, like a bandit, is aiming at supreme power'.[17] The same author also has the tyrannicide, Brutus, resorting to the bandit label. In the speech in which Brutus addressed the people of Rome following Caesar's assassination, the two dictators, Caesar and Sulla, were portrayed as being on the same level, since both had deprived the Italians of their goods and chattels by right of conquest and by the customs of banditry.[18] For a bandit of the stamp of Caesar the booty was, of course, the entire state; the means of his misappropriation was the army – his robber band. The latter comparison helps confirm I. Opelt's point that statesman and bandit stand at different ends of the same spectrum.[19]

Under the Second Triumvirate, Cicero once more clashed publicly with a political opponent. This was the confrontation which, not least because of his unrestrained verbal attacks,[20] caused him to be declared an enemy of the

state and, on 7 December 43 BC cost him his life. His opponent was Mark Antony, whom Cicero attempted to vilify by calling him a bandit, just as he had done to Catiline and Clodius though probably more systematically.[21] In his 'Philippics', Antony is represented once as a murderer, once as a second Spartacus or Catiline, and almost 40 times as a *latro*.[22] As the bandit depicted by Cicero, Antony reckons that he is doing a favour (*beneficium*) in granting people their lives,[23] something which he, a 'foul brigand' (*impurus latro*) is prepared to accept as one of the requirements of a 'most loathsome and savage tyranny' (*taeterrimus crudelissimusque dominatus*).[24] Meanwhile, he lives like 'pimps and brigands' (*lenonum et latronum*), in his private life indulging in lecheries, in his public in murders.[25] What drives Antony the *latro* is what drove Catiline: need for money and, consequently, lust for plunder, which he hopes to satisfy by the confiscation of property.[26] The utter prodigality of his brother, Lucius, completes Cicero's sketch of the robber band at the head of which Antony, like a 'berserk gladiator' (*furiosus gladiator*), wages war on his own country.[27] This brief glance serves to show that the characteristics that Cicero attributes to Antony the *latro* all derive from the classic repertoire of 'the tyrant'.[28] The main purpose of the 'Philippics' was to warn people of Antony's tyranny, and allows us to see that 'bandit', as used in this context, is a synonym for 'tyrant'.

There is just one variation of the use of the term 'bandit' in Republican political invective, Octavian/Augustus' attack on his opponent, Sextus Pompey,[29] as a pirate. In his *Res Gestae*, Augustus the Princeps boasts of having cleared the seas of pirates (*praedones*).[30] By means of a verbal ambiguity which can hardly have been unintentional, he leaves it to his readers to construe the war against Sextus Pompey either as an orthodox war (*bellum*) or as a war against slaves (*bellum servorum*). He himself, apparently, as is suggested by a further reference,[31] saw the war as a servile war (*bellum servile*). That bandits and slaves might make common cause was, especially since the Sicilian slave wars, a very real Roman nightmare,[32] and the threat of it justified all means against it. Anyone who tackled this danger might well expect himself to be regarded a hero.

No writer of the day or of the years immediately following ignored Augustus' judgement of Sextus Pompey. According to Horace he, Lucan's 'Sicilian pirate' (*Siculus pirata*),[33] threatened Rome with the fetters that he had removed from renegade slaves.[34] Velleius Paterculus described him as 'the freedman of his own freedmen, the slave of his own slaves',[35] who recruited his legions mainly from slaves and runaways, undertook banditry and looting (*latrocinia ac praedationes*) to maintain these and himself and, through crimes of piracy (*piratica scelera*), made himself the direct successor of the very Cilician freebooters whom his own father had defeated.[36] So the war against Sextus Pompey was categorised as a pirate war. Other than in the passage of the *Res Gestae* already mentioned, we also find this in Pliny the Elder. According to his 'Natural History', Agrippa, like Pompey the

Great after his victory over the Cilician pirates, was awarded the *corona rostrata* in recognition of his 'Sicilian pirate' victory.[37]

Sextus Pompey and Mark Antony were the last 'bandits' of the collapsing Republic. Before moving to examine the further evolution of the term 'bandit' in its application to political opponents during the Principate, I first wish to take a look at foreign relations in the late Republic. This will allow us to see how the usage of *latro* as a defamation of one's political opponents, as it had developed in polemical speeches of the Senate and the public assemblies, came to be transferred to anti-Roman politicians of the Hellenistic world.

3 Local dynasts of the late-Hellenistic East as *latrones*

In a narrative that may be seen as typifying the Greek East at the time of the Mithridatic wars, Strabo reports that numerous tyrants had seized power in Cilicia, and that robber bands had appeared everywhere, and their suppression continued down to his own day.[38] The Hellenistic monarchies had disappeared or else were in decline, while Roman dominance had not yet fully established itself.[39] At sea, piracy was in its heyday, able, under such favourable circumstances, to develop into a military and quasi-political force.[40] On land, in particular in Asia Minor, areas subject to no external rule appeared where local men of power seized the chance to set themselves up as dynasts.[41] What follows is based on the observation that such self-styled politicians figure very frequently in the Roman tradition as *latrones* or *leistai*. Here, too, we find ourselves dealing not with authentic brigands, but with a figurative use of the term: politicians who had aroused Rome's displeasure were depreciated as bandits.

My first example takes us into the 70s of the first century BC, when P. Servilius Vatia Isauricus was, as proconsul, given command of the war against the Cilician pirates.[42] Contemporary with this, a Cilician dynast called Zeniketes was attracting attention.[43] He had set himself up near the coast on Olympus (a mountain near modern Delik Tas), from where he was able to oversee a much larger area, defined by natural features.[44] Strabo characterises his main base as a *peiraterion*. Taken literally, the term implies that Zeniketes maintained pirate vessels which exploited the disruption caused by the Mithridatic wars to go a-plundering and, perhaps, also served Mithridates for pay. There is no direct proof of this, but it is suggested by the direct onslaught of Servilius Isauricus who probably decided to proceed against Zeniketes with military force for this reason. When Roman troops threatened to storm his mountain stronghold, Zeniketes and his followers elected for collective suicide. It is interesting that this manner of death was increasingly chosen by *latrones*; I will examine the phenomenon in more detail below, in connection with the myth of Masada.[45] However, anticipating the results of this discussion, I declare here my suspicion that the story of the end of Zeniketes and his companions conveys no historical reality but

reflects a cliché drawn from the repertoire of the literary conception of the bandit.

In the same period in Cilicia, similar conditions brought forth an enigmatic local dynast called Lysias.[46] Unlike Zeniketes and his rural stronghold, Lysias created an urban power base for himself, at Tarsus. Our source for Lysias, who is otherwise unknown, is Athenaeus, a very wide-ranging writer under the Principate. The context is a reckoning up of philosophers who exercised political power.[47] It transpires that Lysias was an Epicurean and was very well regarded in his home city of Tarsus. This gained him the position of 'Priest of Hercules', apparently a senior religious and political office in his community. He caused a great sensation when, following the expiry of the period for which he had been elected, he proved reluctant to lay down his post. Finally, and totally contrary to Epicurean teaching, which was against the undertaking of political office, he contrived to become a tyrant. Unfortunately, Athenaeus (or his source) was not interested in the precise conditions or the general background of Lysias' seizure of power. On the other hand, he says much about the costume in which Lysias presented himself to the public as tyrant – an expensive military cloak over a purple tunic decorated with white stripes, white Laconian shoes and, for a headdress, a laurel crown made out of gold. This costly and extravagant outfit was, without doubt, a symbol of authority, its function being to afford this self-made despot the proper appearance of a legitimate ruler. This, at least, is the explanation of the same phenomenon in the case of the Sicilian slave kings.[48] Anyway, it appears that Lysias' rich attire struck Athenaeus as unsuitable, and particularly so given the revolutionary social policy which he devised and which he attempted to bring in by radical means: 'He then distributed the goods of the rich among the poor, murdering many who did not offer them of their own accord.'[49] As it stands I find this story which makes Lysias out to be an ancient Robin Hood, frankly unhistorical; in any event, it defies proof. The socio-politically motivated notion of a redistribution of wealth is unusual but not impossible. Athenaeus' report may contain a kernel of historical truth, going back to Lysias' desire to mitigate social distress by a re-allocation of property in the form of, say, a Gracchan-style allotment of land. That such thinking is not inconceivable may be seen in the unconventional policy of Pompey the Great in respect of Cilicia. Following the pirate war of 67 BC, an attempt was made to reintegrate former pirates into society by means of land-allotments and resettlement.[50] In this, confiscation could scarcely have been avoided. Even supposing that Pompey's motive was purely selfish, i.e., an increase in the number of his dependants and in his prestige, his resettlement policy remains a remarkable attempt to pacify the region. It managed to avoid something which was otherwise a feature of this period and, in particular, this area, namely the wholesale enslavement of prisoners-of-war.[51] It may therefore be taken as demonstrating that the Romans recognised the need for a reconciliatory social policy in

Cilicia. Exactly the same recognition may well have occurred first to a local 'big man', which would lend a natural explanation to the reports of confiscations under Lysias. It was probably only in the telling that these were transformed into a story about a bandit who robbed from the rich to give to the poor.

One of the pirates whom Pompey settled in Cilicia was Tarcondimotus, a local dynast from the Amanus mountains.[52] In the Roman sources, he escapes being branded a bandit, but this was no accident. He owed such generosity to his loyalty to Rome and to the recommendation of Cicero. The latter, proconsul of Cilicia in 51 BC, lauded Tarcondimotus in the most glowing terms as 'our most faithful ally beyond Taurus, and true friend of the Roman people'.[53] Tarcondimotus was at Pompey's side at Pharsalus, aided Julius Caesar's assassins at Philippi and fell at the battle of Actium in 31 BC while backing Antony.[54] Octavian, of course, might well have regarded him as a *latro*, but this is nowhere recorded. And his son, also called Tarcondimotus, went over to Octavian and in 20 BC was given authority over his father's area of influence.[55]

Depending on the point of view of the source concerned, we encounter Antipater,[56] ruler of the cities of Derbe and Laranda in southern Lycaonia at the time of Cicero, either as a usurper,[57] disparagingly labelled a 'bandit' (*leistes*), or as a respectable local dynast, for whom Cicero personally stood guarantor to Q. Marcius Philippus, proconsul of Cilicia, in 47 BC. Unfortunately, Strabo has no more than a bald reference to Antipater 'the bandit', offering no justification for his negative judgement.[58] By contrast, Cicero stresses in a letter that from Antipater he met with 'hospitality' and 'great friendship' (*hospitium, summa familiaritas*).[59] Antipater also won respect beyond the frontiers of his territory. A foreign city honoured him in an inscription for his friendly mediation in a diplomatic affair with Rome.[60] His fate was sealed by Amyntas, king of the Galatians, who conquered Derbe and its region around 36 BC, deposing Antipater.[61]

The Olympus range, lying on the borders of Mysia and Bithynia, was the homeland of Cleon, 'the bandit-overlord' (*ho ton leisterion hegemon*).[62] In 41 BC, during the Parthian attack on Asia Minor, Cleon stood loyally by Rome. His headquarters was a fortress called Callydion. From here he worked for Mark Antony by intercepting military supplies and money meant for Q. Labienus, the famous Roman renegade and leader of the Parthian invasion forces. As the confrontation between Antony and Octavian reached its peak, Cleon changed sides. Strabo deplores the extent to which the Roman grandee fawned on the 'bandit'. Apparently Octavian rewarded Cleon by granting him an official position: that of priest-prince in Comana-in-Pontus. According to Strabo, his period in office was a clear demonstration that this high post had been desecrated by being handed over to an out-and-out bandit. Cleon's case is a further illustration of how difficult it is to define a 'bandit' like him, and calls for a review of where this discussion has taken us. Syme

saw Cleon as a true bandit, but not, however, Antipater or Tarcondimotus.[63] But what, in the end, really differentiates them, apart from Cicero's standing surety for these last two, remains an open question. Vogt (following Benndorf), talked of the 'bandit state' founded by Zeniketes in Lycia, of which he declared himself king.[64] This is plainly no more than a repetition of the official Roman view of things. As far as the Romans were concerned, all such princes were *latrones* since they used their personal armies to fight private wars which, from a legal point of view, were no more than plundering expeditions.[65] That, on the other hand, such war-lords occasionally appear in Roman sources as men of honour depends for the most part on whether they took sides in the Civil War and, if so, whose. As a rule, those who chose to ally themselves with the losers had much less chance of being regarded favourably unless they managed to go over to the winners before it was too late.

This is how the Romans saw things. However, to reach an objective judgement we have to proceed from the fact that Zenketes, Lysias, Tarcondimotus, Antipater and Cleon all extended their power in the political vacuum which had arisen following the collapse of the old order. In this situation, the *latro* as a social phenomenon, able to legitimise his position only through success, represents the form in which proto-political power typically made its first appearance.[66] Whoever the Romans termed a 'bandit' was probably just a local 'big man'. Thanks to its geographic conditions, the area of the Taurus mountains seems to have encouraged this sort of 'bandit state'.[67]

Roman writers' characterisation of local moguls as *latrones* is not something that was restricted to Asia Minor. Examples of this also occur in respect of Greece and the Middle East which, during the first century BC, enjoyed a comparable political climate. To begin with, there is the case of the Spartan dynast, Lachares.[68] To judge from an inscription set up to commemorate his virtue (*aretes heneka*), Lachares had the best of relationships with the council and people of Athens.[69] He will therefore have been respected throughout Greece. We know rather more of his son, Eurycles, who made a name for himself under Augustus through his donation of public buildings in Sparta and Corinth.[70] The sources on Eurycles contain a report which provides us with significant information about his father as a 'bandit'. Eurycles fought with Octavian's fleet at the battle of Actium. Plutarch says that Eurycles sailed his vessel directly at Cleopatra's flagship after Antony had sought refuge on board there. He made no attempt to disable the enemy by ramming her, which might well have worked, but when he got close only hailed Antony (to his astonishment) to tell him that he was the son of Lachares, and that Caesar's (i.e., Octavian's) good fortune in war had now put him in the position of being able to avenge the death of his father.[71] Lachares had – so Plutarch adds – been put to death on Antony's orders following charges of being engaged in banditry.[72] This happened probably just before the battle of Philippi, when Antony was engaged in ordering the

affairs of Greece.[73] Even if no other information is available, leaving his alleged illegal activities as mere insinuation, Lachares can hardly be regarded as a true bandit. Antony probably just branded him a *latro* as a follower of Octavian, and destroyed him as a political foe. Since his son became famous as a benefactor under Augustus, he must have enjoyed the sufferance and perhaps also the esteem of the Princeps.

To close this review let us glance at events in the Middle East about which we are particularly well informed thanks to the writings of Flavius Josephus. During the late Republic and early Empire, self-styled rulers of minor principalities were a feature of this area as much as they were of Asia Minor. Terminologically speaking, it is important to note that for Josephus many of these dynasts were not *leistai*. This observation is all the more important because no other author of the Roman period refers to as many 'bandits' as Josephus. Indeed, 'his' *leistai* comprise such a large and well-defined group that a whole chapter (Chapter 5) is devoted to them below. Let us here consider just one example appropriate to the theme of this chapter: the Syrian local dynast Zamaris. A Babylonian, between 10 and 6 BC, with a troop of 500 mounted archers and 100 close followers, he took over a territory not far from Syrian Antioch.[74] This alone was sufficient cause for the Roman authorities to designate this independent princeling a *latro*, and to pursue him as someone who exercised illegal power.

However, as already seen with Tarcondimotus, there were exceptions to this pattern of behaviour. In Tarcondimotus' case the decisive factor was his recognition by Cicero; and the situation was much the same for Zamaris. Josephus tells us that C. Sentius Saturninus, governor of Syria, decided to tolerate Zamaris as a local dynast rather than fight him. He thus avoided a military confrontation while at the same time ensuring that the area under Zamaris' sway enjoyed civil security under licence from Rome. Zamaris was apparently very good at his job. He came to the attention of king Herod who persuaded him to move with his forces to the border of Trachonitis in order to combat 'banditry' in the region. Under the terms of his contract Zamaris was allowed to rule over the territory put under his command as a prince. After his death this right passed to his sons who enjoyed good relations with the successors of Herod.

Herod used Zamaris in exactly the same way as Saturninus. This illustrates the expedient which Cicero had earlier employed in respect of Tarcondimotus, namely that minor rulers who otherwise would prove difficult to overcome could be controlled through integration and could even be made to serve the political and military ends of the ruling power.[75]

4 *Latro* as a term for usurper

From the time of Augustus there were no more *latrones*, at least officially: the Princeps had eradicated them all.[76] The result was the *pax Augusta*, the

beneficent effect of which was, according to Velleius Paterculus, that all corners of the world lived free from the fear of *latrocinia*.[77] In this context *latrocinia* may be understood generally, i.e., in all its aspects, including political enemies within the Empire and 'big men' on its fringes. And indeed, until late in the third century we only very rarely come across challengers to the imperial throne who are called 'bandits'.[78] Did those who strove for power during AD 69, the 'Year of the Four Emperors', really eschew the tried and tested slogan of the days of Cicero and Caesar in their propaganda? Or is this just an illusion, the result of the confrontations between Galba, Otho, Vitellius and Vespasian being transmitted to us by authors, above all Tacitus, who give us their own interpretation of events? This is not very likely since, as Tacitus shows, the bandit metaphor was current in his day, and was even applied to politicians. However, it is significant that by Tacitus' day it was not contemporary politicians who were termed *latrones*, but those of the late Republic, such as Cassius and Brutus, the killers of Julius Caesar.[79]

Otherwise, as far as we can see, even those who contended for the purple following the fall of Commodus refrained from calling each other 'bandits'. And though a doomed contemporary, brimming with fury, referred to Commodus himself as a 'bandit chief' (*leistarchos*),[80] this does not indicate official or semi-official, but only private usage.[81] Thus the evidence might seem to show that the *pax Augusta* led, in reality, to such a fundamental stabilisation of the political system and so deep a feeling of well being within Roman society that for two centuries, whenever political rivals fought to death, the language of confrontation was managed without the invective that so characterised the end of the Republic. Looking at these two hundred years as a whole, we can see that the wars of succession that followed Nero and Commodus were spasmodic affairs, that neither jeopardised the political system (the mark of the crisis of the late Republic) nor threatened the existence of the Empire (the mark of the 'Crisis' of the third century). However, we should also note that the polemic of the Principate was, in its intensity and vocabulary, quite different from the political invective of the tottering Republic and equally different from imperial propaganda following the 'Crisis' – which drew directly on the abusive rhetoric of the late Republic.

So far we can see that under the Principate there was an interruption in the application of words and images related to bandits and political opponents. It was only during the period of crisis in the third century, when the conditions of the late Republic appeared to be making a reappearance, that *latro* gained new currency as a term of political abuse, and then at first only hesitantly. In fact, as a synonym for 'usurper', 'bandit' came fully into use only in Late Antiquity, as shown in the contemporary Latin panegyrics. Though, as we shall see, individual usurpers of the third century were termed *latrones*, it needs to be borne in mind that the sources concerned – Eutropius,

Aurelius Victor, the *Historia Augusta* – all stem from the later period. It is therefore very likely that these authors used the vocabulary of their own day, rather than that of previous generations.

In my view, the increase in the application of the bandit metaphor to political enemies in the period from the later third century is explicable mainly in terms of the recurrence of real crisis. The effects of this crisis may be seen reflected in changes in political rhetoric. As at the time of Cicero, a common feature is that confrontation became sharper. One particular detail which demonstrates this is that, beginning with Maxentius, usurpers are regularly called *tyranni*.[82] The conflict between emperors and usurpers was further characterised by the circumstance that imperial propaganda took great pains to avoid mentioning the name of the usurper concerned; this, too, is to be regarded as a form of denigration.[83] As a result of this development one may observe that there was a steep increase in the variety of terms used to designate usurpers: the panegyrists branded Carausius as a 'pirate', a 'pirate king' or a 'brigands' standard bearer' (*pirata, archipirata, vexillarius latrocinii*).[84] In 312, Constantine I fought at the Milvian bridge against *latrones*.[85] Maxentius, 'that monster' (*monstrum illud*), squandered all the wealth of Rome, brought together over centuries, on civil war, and this was described as 'the despoliation of the civil populace' (*latrocinium civile*).[86] The panegyrist who coined this phrase must have had the legal distinction between *bella* and *latrocinia* – according to whether an enemy waged regular or irregular war – firmly in mind.[87] In the panegyric of Pacatus to Theodosius I, Magnus Maximus is called, perhaps not wholly fancifully but certainly in very choice terms, 'executioner', 'brute beast', 'public enemy', 'mugger', 'bandit', 'pirate', 'carpet-bagger' and 'gladiator' (*carnifex, belua, malum publicum, praedo, latro, pirata, spoliator, gladiator*).[88]

Thanks to its incessant repetition of particular phrases and embellishments, the language of court propaganda in Late Antiquity, especially as expressed in panegyric, is generally regarded as being devoid of any meaning.[89] However, it is more than just an empty formula when a usurper is characterised as a *latro.* The key evidence in support of this claim is a passage in the *Historia Augusta*. The writing of the 'Life' of the Egyptian usurper, Firmus,[90] who revolted against Aurelian in AD 273, prompted the author of the *Historia Augusta* to make some fundamental comments on the problem of what to call usurpers.[91] He – supposedly 'Flavius Vopiscus' – tells us that as far as his – probably equally fictional – source, the historian 'Marcus Fonteius', was concerned, Firmus was no *princeps* but rather a 'robber' (*latrunculus*). It was for this reason, 'Vopiscus' continues, that he, in his 'Life' of Aurelian, thought of Firmus as a *latro*.[92] In the meantime, however, in company with three other (again probably invented) historians, he has been led to doubt the labelling of Firmus as a *latrunculus* by the fact that he wore the purple, bore the title of Augustus and minted coins. Then, on the conceit that all these 'historians' had immediately debated the issue, the

author of the *Historia Augusta* cites the argument supposedly deployed by 'Fonteius' against these points. After the destruction of Firmus, Aurelian himself had had it made known that he had 'rid the state of a brigand',[93] and that, generally, mighty emperors always termed *latrones* those they had slain trying to seize the purple.[94] This contrary line of argument, reliant upon official imperial usage, did not, it would seem, convince the author of the *Historia Augusta*. He decided to regard Firmus as a 'tyrant', no longer terming him *latro* as he had earlier in the 'Life' of Aurelian, but ranking him among those who had worn the purple (*inter purpuratos habere*).[95]

Fictive as this controversy as to what a usurper should be called is likely to have been, it probably reflects fourth-century debate, at a time when people referred to usurpers generically as *tyranni* and in doing so, it would seem, distinguished between *tyranni latrones* (or *latrunculi*) and *tyranni purpurati*.[96] The latter category of usurpers could depend on a certain degree of support from the population of the region over which they ruled and could maintain their position for longer. Through dress, ceremonial, titles, the minting of coins and panegyric they aimed insistently at projecting themselves as the holders of legal power like, for example, the Isaurian usurper, Trebellianus, 'who, though others dubbed him arch-pirate, gave himself the title of emperor'. Much was made of the fact that he 'even gave orders to strike coins' and that 'he set up an imperial palace in a certain Isaurian stronghold'.[97] Such usurpers differed from official emperors only in terms of their status. This allowed them completely to avoid the worst form of public defamation – as *latrones*. On the other hand, to the emperors whom they challenged they were, like all *tyranni*, also *latrones*. This arose naturally from the need to vilify the challenger, as stated plainly in the passage on Firmus already discussed: 'as though mighty emperors did not always use the term of brigand in speaking of those whom they slew when attempting to seize the purple!' (*aut non semper latrones vocitaverint magni principes eos quos invadentes purpuras necaverunt*).

The examples of Maxentius and Magnus Maximus show that the author of the *Historia Augusta* was quite correct in his description of the classification of usurpers. Unfavourable political circumstances led to both usurpers being tolerated for several years in the positions that they had arrogated to themselves and they were in effect emperors in the provinces over which they ruled. As defined by the *Historia Augusta*, they were *tyranni purpurati* and, fully consistent with this, we find an anonymous panegyrist calling Maxentius, son of Maximian, a 'home-raised wearer of the purple' (*vernula purpuratus*) and Pacatus terming Magnus Maximus a 'purple-clad executioner' (*carnifex purpuratus*).[98] Once the political situation allowed, Constantine I and Theodosius I overthrew both *purpurati* and had them, as we have already seen, denigrated by panegyrists as *latrones.*

It is worth taking a further look at the *Historia Augusta*'s 'Life' of Firmus since, quite apart from its basic comments upon the categorisation of usurpers,

it provides us with a very lively representation of how of a *tyrannus latro* was conceived of from a senatorial point of view. Firmus, the *latro improbus*, is characterised by his monstrous size and his terrifying appearance. He was a glutton, but resolute of spirit and so something of a bluff fellow, who thought nothing of leaning backwards, face up, supporting his weight on his hands, having an anvil placed on his chest, and having it struck firmly.[99]

This graphic description provides the picture of a half-barbarian, uneducated but strong. The emperor Maximinus Thrax, was, according to his biographer, a man of the same stamp.[100] We have already touched upon him in the case of Viriatus, as a herdsman and leader of a gang of young bandits.[101] His biographer claims that Maximinus was particularly good at his military service, the first stage of which he spent in the cavalry, not only because of his huge size, his outstanding bravery, his fine manly figure, his untamed character, and his rough, arrogant and contemptuous bearing, but also because of the sense of justice which he frequently demonstrated.[102] This extensive catalogue of the physical and mental characteristics of a not entirely disagreeable 'barbarian' or 'semi-barbarian' who scarcely knew his Latin[103] is then rounded off with reports that Maximinus, thanks to his superhuman strength, could take on sixteen sutlers or seven of the bravest soldiers at once,[104] and that he could tolerate no person of noble birth in his presence, in this respect ruling just like Spartacus or Athenion.[105]

Given such a profusion of patently clichéd attributes, which do no more than turn Maximinus Thrax into a stylised embodiment of 'the Barbarian' (albeit positively, as the noble savage), we can hardly determine the true nature of his character. Not even the description of the circumstances in which Maximinus spent his youth is above suspicion. His nickname of 'Thrax', indicating that he came from Thrace, derives in fact in the first instance from the *Historia Augusta*, the author of which also claimed to know the names and origins of his parents – his father was ostensibly a Goth called Micca and his mother an Alan called Ababa.[106] Whatever, Maximinus, supposed to have once been a bandit herdsman, became a *latro* again when the Senate declared him a public enemy. Maximus and Balbinus were therefore called upon to free the state from the 'brigand' and to command the war against him.[107]

The *Epitome de Caesaribus* tells us that Philip the Arab, too, had the humblest of origins, 'his father being a famous bandit chief'.[108] Though the charge was levelled against the father, who was probably in his own community a highly respected man, the target of the smear was obviously the son, the later emperor. This allows us to establish a further principle, according to which a ruler of this period could be branded a *latro*. To call someone a bandit, or the son of a bandit, was a literary convention beloved of writers of Late Antiquity when they wanted to disparage particular third-century emperors as ignorant upstarts: here Philip the Arab, elsewhere Maximinus

Thrax and Maximinus Daia. Here geographic rather than social origin was important. Along with other barbarian peoples on the margin of civilisation, Thracians and Arabs were regarded as classical bandits.[109]

As already indicated, Lactantius follows this pattern in detailing the background of Maximinus Daia, who:

> . . . had only recently been picked up from looking after cattle in the forests, had at once become a guardsman, then an officer of the guard, soon afterwards a tribune, and then the next day a Caesar, and now he received the East to crush and trample underfoot – as might be expected of one who knew nothing about public or military affairs, a herdsman who was now to look after soldiers instead of cattle.[110]

This characterisation, which by now we have seen in various forms, expresses in full the hostility to a class of emperor which contemporary critics claimed to have identified as a basic cause of the 'Crisis' – the imperial parvenu who, also by virtue of his questionable origin, could be regarded as a 'bandit'. We can complete the picture with another case from the *Historia Augusta*, that of Proculus, a usurper at the time of Probus.[111]

This Proculus came from Albigauni (Albegna) in the Maritime Alps. According to the *Historia Augusta* he was highly respected in his own region. His ancestors had been bandits who had amassed considerable wealth in the form of slaves and livestock as a result of their raids.[112] During his usurpation, Proculus could depend on the support of 2,000 slaves of his own household. He himself was used to a bandit's existence, to a life spent permanently under arms.[113] His method of fighting was that of *latrones*, i.e., guerrilla warfare.[114] This is, at least, the tactic to which he owed a victory over the Alamanni. To bring home the uncivilised way in which Proculus behaved, his biographer thought up a rude tale about his sexual prowess. Proculus is supposed to have boasted that over fifteen consecutive nights he deflowered one hundred Sarmatian virgins, on one night having ten.[115] The fiction probably says more about the fantasies of the author of the *Historia Augusta* than about Proculus' capacities. The example also shows that in Antiquity a bandit like him was expected to be characterised by physical strength and sexual potency.

In a further anecdote, for the reliability of which the biographer calls upon the (pseudo-) authority of the historian Onesimus, we are told of a banquet at which Proculus and his friends played the game of 'Bandits' (*ludus latrunculorum*).[116] This story, too, is probably a product of the biographer's imaginings, allowing him to use a word game to come up with an omen of Proculus' imminent usurpation: Proculus the bandit (= *latro*), playing the bandit (= *latro*), indicated that he would become a usurper (= *latro*) by emerging ten times in a row as winner (= *imperator*), whereupon another

player saluted him with 'Hail, Caesar' (*Ave Auguste*), hung a purple cloak about him and prostrated himself before him.[117]

We may conclude from the material presented in this section that from the later third century *latro* came to be regularly used as a term for usurpers. But the very regularity of its use deprived the bandit *motif* of something of the vigour it possessed when Cicero reviled Catiline as a 'bandit', namely the articulation of the deepest personal bitterness against a political arch enemy. If a panegyrist wished to signify the indignation felt by an emperor towards a challenger, he needed other, more powerful, terms than *latro* – now, in the course of time, somewhat tired and, in the context of the hyperbole of such speeches, even rather bland. So *latro* was tuned up with accessories such as *vexillarius latrocinii, monstrum, belua* and *carnifex*. Usurpers remained 'bandits', but this may be explained terminologically as analogous to the differentiation between *hostes* as regular and *latrones* as irregular foes in the Roman language of warfare.[118] *Latro* had lost much of its strength as a term of abuse, becoming at the same time became, like *tyrannus*, a technical expression employed, not particularly personally, to designate a usurper.

In addition, as some of the examples cited above have shown, writers from Late Antiquity occasionally applied the bandit metaphor to legitimate emperors as well as usurpers. The disparaging of rulers as *latrones* also concerned their legitimacy, but in the particular sense that the capability, and hence the right to rule, of emperors who had come to power after due process of law could be challenged on the grounds of their dubious origin as semi-barbarians. The disdain for such men was an expression of the deep conflict between the senatorial aristocracy and the so-called soldier-emperors. More moderate authors eschew this demotion to *latrones* but maintain an underlying criticism. Aurelius Victor says of the tetrarchs that they were sure to be good rulers, albeit in general poorly educated and owing their formation to the horrors of the peasant life and of war.[119]

5 The return of the local dynast in Asia Minor during the third-century 'Crisis'

Just as the third-century 'Crisis' witnessed the return of the *latro* in the polemic of Roman politics, so it also produced as one of its consequences the return of the self-styled local leader in Asia Minor, exactly as this had occurred in the late-Hellenistic period: leaders who were neither kings nor emperors, but who wanted to rule over small areas that they won for themselves. The making of this connection in respect of local dynasts is in line with contemporaries' adoption of the late-Republican use of *latro* to describe domestic foes.

Zosimus' *Historia Nova* gives an account of Lydius the Isaurian who, at the time of Probus' German expedition (AD 278/279), recruited a 'robber band' and with it attacked an area in the province of Lycia and Pamphylia.[120]

When pursued unremittingly by Roman forces, Lydius did not yet feel ready for open battle and so, with his 'band' (*stiphos*), sought refuge in Cremna in Pisidia.[121] With its lofty position and surrounding gorges the city offered good protection from attack. The Roman troops who encircled Cremna made hard going of taking the city. Lydius had carefully organised the supply of foodstuffs and methodically reduced the number of its inhabitants. People who were of no use in its defence were expelled. Though the besiegers forced them all back, Lydius rid himself of them by having them thrown into the ravine that surrounded Cremna.[122] A tunnel dug secretly underneath the siege ring secured the provisioning of the besieged for a long time. This was eventually betrayed to the besiegers.[123] Thereupon the situation deteriorated; but Lydius remained unflustered. He let people perish by directing food only to essential personnel such as the defenders on the walls, and the women whom he had made available to them to satisfy their sexual demands.[124]

This is the first part of this legendary tale. Which goals Lydius 'the bandit' pursued and to what class of *latrones* he should be assigned are difficult to determine from the evidence we have. At first sight he looks like a common bandit without political aims – at least, that is, so long as he was left alone by the Roman security forces. He made himself ruler of Cremna only under pressure from his pursuers: the city was at once his hostage and his sanctuary. That he was able to take a city and organise its successful defence gives an idea of the size of his 'band', which must have been something like a proper army. All this contradicts the idea that Lydius was just a run-of-the-mill bandit.

To be involved in a siege was an exceptional happening, in the course of which Lydius showed himself an intelligent strategist by directing all his decisions uncompromisingly, irrespective of all human suffering, towards the single goal of survival. On the other hand, to judge from his heartless destruction of non-combatants, his cynical use of women and the final outcome of events, Lydius seems to have pursued a reign of out-and-out terror in Cremna. Yet this could also be part of the myth designed to show that the 'Crisis' provoked a return of the anarchy experienced under the late Seleucids in parts of Asia Minor that were anyway difficult to police.

The fate of Lydius, the supposed bandit chief who, through the operation of forces beyond his control, became a city tyrant, was sealed by a dispute with one of his comrades-in-arms. This represents a further variant on the theme of the invincible bandit, vulnerable only to treachery. In this case the betrayer was a highly skilled weapon maker who had expertise in both the production and deadly deployment of catapults.[125] (This very detail, it should be noted, confirms that Lydius was no ordinary robber, but a local man of power, in command of an army.) One day this expert missed a target, and this led to a quarrel with Lydius who had him flogged and threatened to kill him.[126] Zosimus says that the catapult man could have missed on

purpose; but this is speculation. Tensions among those penned up inside are the inevitable consequence of any siege. In any case, Lydius' victim went over to the Romans and offered to kill Lydius with a long distance shot. It worked: Lydius was hit as he leant out of a spy hole.[127] Severely wounded, he got his comrades to swear that they would hold out to the bitter end and then died. The besieged felt themselves in no way bound by their oath and gave themselves up immediately after his death.[128] As the driving force of the revolt Lydius appears to have possessed the personal magnetism of the charismatic leader. This is another variant of the theme of the leader as the brain and backbone of a political movement.

The wider historical context of the revolt of Lydius and that of our next subject, Palfuerius, is well known thanks to the many stories about Isauria found in writers from Strabo to Ammianus Marcellinus and the author of the *Historia Augusta*.[129] Isauria was part of a wider area of constant political instability in southern Asia Minor. The region reacted to the 'Crisis' with manifestations of separatism. The imperial government found it increasingly difficult to control. In the fourth century, it was regarded virtually as part of *Barbaricum*.[130] As long as we can trust what we know about Lydius as being historically authentic, it exemplifies the instability of the area.

Very close to Zosimus' Lydius in time, location and circumstance is Palfuerius, an Isaurian 'bandit' of the time of Probus.[131] The similarities between these two men have led some to propose that they are one and the same person – the most recent advocate of this suggestion is J. Rougé.[132] But Palfuerius figures in the *Historia Augusta*, not in Zosimus, and the two accounts differ from each other on significant points regarding geography and detail. Lydius occurred at the time of Probus' Germanic wars. His original sphere of power lay in Lycia and Pamphylia. He was pursued by an anonymous Roman field commander. Palfuerius, on the other hand, was based in Isauria. The author of the *Historia Augusta* makes no mention of his taking refuge in Cremna. And he was hunted down and taken out by Probus himself, following the completion of the campaigns in the Rhineland. The number of significant discrepancies makes it therefore unlikely that Lydius and Palfuerius are the same person.[133]

That Probus is supposed to have taken on the task of combating Palfuerius in person is in itself a sign that the latter was no ordinary bandit but a self-declared local dynast. The emperor drew the attention of the population of Rome to his success in this war within the framework of gladiatorial shows that he staged on the occasion of his victories over the Germans and the Blemmyes. 'Bandits' captured in Isauria were among those compelled to appear in the arena.[134] With reference to the capture of Palfuerius, the writer of the 'Life' of Probus has the emperor remark that it is easier to keep brigands out of Isauria than to expel them from there.[135] He adds that, in a political measure designed to restrict local 'banditry', Probus gave land in

the outlying regions of Isauria to veterans. These grants were conditional on the male children of the settlers entering the army at the age of eighteen, in order to prevent them turning to banditry.[136] Consciously or not, this is a return to the policy of Pompey the Great, whose own settlement programme had likewise sought to stop the poverty stricken inhabitants of the area from becoming the dependants of local moguls.

If, therefore, in the case of Lydius and Palfuerius we can suppose two different 'bandits' who, during the reign of Probus, exercised power in Isauria and its surrounding regions, our picture of the effects of the third-century 'Crisis' in southern Asia Minor becomes correspondingly more intense. The appearance of local men of power, described in the sources as 'bandits', may be seen as a typical manifestation of crisis in the area.

6 Conclusion

Consideration of the employment of *latro* to mean 'domestic political arch enemy' has introduced us to a set of people beginning with Catiline and ending with emperors and usurpers of Late Antiquity. To be emphasised is the particular contribution of Cicero to the creation of this specialised usage. The constant elements in the Roman picture of the common, contemptible bandit – poverty, need, an appetite for booty and violence, together with audacious courage and pride – were also used to designate bitter, political foes as *latrones*. An important finding is the break in the application of the concept from Augustus to the third-century 'Crisis'. This period may be regarded as picking up the threads of the fall of the Republic, and of the characterising features of its political polemic. This links both eras as episodes of crisis in Roman history.

Among the chief propagandisers of the bandit theme were the panegyrists and the senatorial historians, the former as political mouthpieces of rulers under challenge, the latter generally as critics of barbarian- and soldier-emperors. In literary terms, emperors as *latrones* and bandits as *latrones* are, in their individual traits, indistinguishable. Physical strength, lack of education, rude manners, unbridled sexual activity and a pronounced capacity for drink are the marks of such 'bandits' with, preferably, birth in simple, pastoral societies. Even when something good could be said about them, it was drawn from the repertoire of the 'noble savage', in the form of simplicity, courage and a sense of fairness. In official and semi-official usage *latro* became jaded to some degree, and this led it, like the similarly employed *tyrannus*, to being employed impersonally as a technical term for usurper. Complementing all this in external politics were situations in which the bandit motif was applied to self-styled men of power at the margins of the Empire, unaccepted by Rome. In chronological terms, this phenomenon occurred in the same periods which produced most of the evidence for it in

internal politics, the late Republic and the third-century 'Crisis'. Here, too, the appearance of this usage turned out to be symptomatic of extreme turmoil. A regional focus emerged in southern Asia Minor, where both the late-Hellenistic period and that of the 'Crisis' provoked the appearance of separatist tendencies.

5

LEISTAI IN JUDAEA

Ancient social bandits?

1 Introduction

From the beginning of Roman involvement in the general area of Syria-Palestine under Pompey the Great in 64 BC to the outbreak of the Jewish War, 130 years later, the history of the region was marked by unrest, protest and rebellion. As far as unrest is concerned, during this period tensions within Jewish society alone provided more than sufficient provocation. In addition, from time to time general events symptomatic of the collapse of the neighbouring Hellenistic monarchies strained the fragile peace. Roman intervention made the situation worse. Even the alteration in status of Palestine (down to AD 6, ruled by Roman client-princes) to that of a regular imperial province (*provincia Iudaea*) in no way contributed to the stability of the land.[1] Insensitive governors injured the religious feelings of pious Jews;[2] double taxation burdened the Judaean peasants once they had to contribute not only to the Temple but also to Roman officials.[3] Power struggles within the Jewish ruling class were accompanied by conflict within the social elite and their dependants in the general population.[4] At times, clashes between Hellenised and non-Hellenised communities threatened peaceful co-existence, especially in the cities.[5] Groups of religious fanatics awaited, in apocalyptic anticipation, the end of this world and the beginning of a better one to come[6] – the very conditions that brought forth Christianity as just one of these messianic movements.

However one may interpret the terms, one can say that 'bandits', 'robber bands' and 'banditry' were features of everyday life in Judaea towards the end of the Second Temple Period. Evidence for this is to be found not only in the writings of Flavius Josephus, our main source for the history of the region at this time, but also in the New Testament.[7] Jesus of Nazareth was treated by the Jewish and Roman authorities alike as a *leistes* and was crucified between two *leistai*.[8] As far as his followers were concerned, he was a king; to his opponents he was a common bandit. His case – in its equating of *leistes* and, in its widest sense, usurper – shows that, with the *leistai* of Judaea we are not dealing with bandits as common criminals. Yet insurgents,

revolutionaries and whosoever abandoned the protection of acting within the law in order to pursue a struggle for political ends needed to pay their way, if necessary by robbery. This again points up the basic link between 'bandit' as literally understood and 'bandit' in one of the many meanings that came to be applied to the term.[9] But who and what were the Jewish *leistai*?

2 *Leistai* in the period leading up to the Jewish War

In his investigation of social relations in Judaea before and during the Jewish War, Richard Horsley proposes that 'the Jewish revolt against Roman domination may be the most vivid and best attested example from Antiquity of a major peasant revolt preceded and partly led by brigands.'[10] In other words, Horsley wants to take the *leistai*, mentioned by Josephus in countless episodes from the 130 years or so preceding the Jewish War, as a key example of the likely applicability of Eric Hobsbawm's model of social banditry to even Greco-Roman society. In short, the Jewish *leistai* in the period before AD 66 were, according to Horsley, social bandits *par excellence.* I cannot agree with this interpretation.

Let us first consider Hobsbawm's criteria for the concept of the social bandit.[11] The habitat for the appearance of this form of protest is an agrarian society in transition from a pre-state tribal organisation to a more sophisticated state-like structure, with a differentiated social hierarchy and an essentially capitalistic economy. Here, social banditry develops among the peasantry as a pre-political form of protest by individuals or by small groups against living conditions rendered unbearable by excessive taxation, arbitrary acts of government and other forms of injustice (real or perceived). Unlike common criminals social bandits are not social outsiders, but enjoy the trust, respect, protection and, at times, the active support of the peasant community from which they spring. Their gangs for the most part consist of no more than 10 to 20 men, who restrict their activities together to their immediate locality. Apart from their fighting for a return to traditional arrangements regarded as good and, generally, for fair dealing between human beings, social bandits have no specific reform programme and no sense of identity. In particular, they develop nothing aimed at the violent abolition of or change in existing conditions of government, amounting to revolutionary upheaval. Social bandits are occasional, adventitious raiders. According to Hobsbawm's theory, *revolutionary* movements – those aiming at the toppling by force of the current order – come later. Social banditry is an earlier stage in this same historical process. Social bandits and social revolutionaries do not occur together; indeed, they are mutually exclusive.

Let us next consider the degree to which Hobsbawm's notions of social banditry really suit Jewish social relations during the later Second Temple Period. It is clear that *certain* of his criteria are fully applicable to Jewish *leistai*. For peasants impoverished by excessive taxation, facing uncontrollable

debt and, perhaps, even homelessness, the only way of escaping their personal distress may have been by joining robber bands.[12] But this is just one aspect of the condition of Jewish society. If the model is to have *universal* validity, it must explain not parts, but the whole of the Jewish protest movement. If, as we shall see, it cannot do this, it is not the particular cases which must be laid open to question, but the model itself. That social banditry is a constant in all peasant societies is in itself only an hypothesis, not something which has been firmly proved. Methodologically speaking, therefore, it is a circular argument when Horsley states: 'Nonetheless, since social banditry is so consistent from society to society and from period to period in peasant societies, perhaps we could posit similar individual protests or righting wrongs by Jewish brigands.'[13]

Hobsbawm developed his model from modern examples. To establish it for earlier periods, for the most part he seized upon legends and ballads, which he saw as offering authentic testimony of historic bandits. Horsley, simply adopting Hobsbawm's premise, asserts: 'When Josephus blames the war on bandits, he is not merely casting pejorative epithets. He is describing actual bandits.'[14] Yet critics of the theory of social banditry do not accept that Hobsbawm offered sufficient proof for his bandits' having been historical personalities.[15] A. Blok offers an especially acute criticism of the model: 'The "social bandit" as conceptualized and described by Hobsbawm is . . . a construct, stereotype, or figment of human imagination. Though such constructs may not correspond to actual conditions, they are psychologically real, since they represent fundamental aspirations of people, in this case of the peasants.'[16] On this basis, we need to correct the model as follows. Social bandits are not historical figures but products of the imagination. Though they may well be based on historical bandits, these are ones whom legendary tradition has transformed into folk heroes. Their stories are ideal conceptions of freedom and justice. There can be no doubt that local traditions made a number of Jewish rebels into such heroes. However, we hardly encounter these in the works of Josephus, our only source for these events. Without ballads and folk traditions recording the views of the lower classes, and relying alone on an upper-class author who wrote for upper-class readers, we can say no more about the presence or absence of social banditry in the period of the Jewish Revolt.

Josephus wrote about the events leading up to the Jewish War and the war itself – both of which he had personally experienced and, to some degree, even shaped – as a member of the Jewish aristocracy. To begin with he occupied a leading position on the side of the rebels, was for a time a Roman prisoner-of-war, and finally won the lasting friendship and patronage of Titus, the destroyer of the Temple.[17] Like Polybius, whose career in this respect is similar to that of Josephus, the latter showed himself won over by the superiority and justification of the Roman world-empire. He expressed his thinking in a pacificatory speech to Jews on the point of rebellion which

he put into the mouth of Agrippa II.[18] He repeated it in an address of his own which, on the orders of Titus, at the climax of the siege of the shrine, he delivered to the rebels who had sought refuge in the Temple. He cited his own words as follows:

> Be it granted that it was noble to fight for freedom, they should have done so at first; but, after having once succumbed and submitted for so long, to seek then to shake the yoke was the part of men madly courting death, not of lovers of liberty. To scorn meaner masters might, indeed, be legitimate, but not those to whom the universe was subject.[19]

He writes about the Jewish War not only as a pragmatic observer, but also as a Jewish nobleman seeking to justify his actions. Although research has shown that the reliability of his reporting has not been seriously compromised by this,[20] his own experience comes through in at least one respect, in that his account of the violent discharging of the accumulation of protest within Jewish society is no detached and considered record, but rather one of his own prejudices.

This is easily discernible in Josephus' terminology. In a sort of schematic uniformity, he characterises the members of all groups that caused trouble in Judaea before and during the War as *leistai*.[21] Scholars recognise only too well the many and various constituencies, motivations, goals and actions that lie behind Josephus' *leistai*, and the difficulties that are involved in attempting to distinguish between these 'robber bands' along such lines which result from Josephus' reducing them to a single expression. One may say that so many misunderstandings about Zealots and Sicarii must have arisen precisely because Josephus' accounts of these people are so similar in tone that they blot out the main differences between them.[22] The same schematic process by which Josephus, through his use of language, creates a unity of 'bandits' from the diversity of groups, movements and aims, is the one used by Horsley to explain this 'single' bandit movement as social banditry.[23]

The first objection to such a procedure has already been raised: Josephus' reporting, which provides no authentic glimpse of the 'heroes' of the peasantry of Judaea. A further objection is that only a small proportion of the *leistai* were peasants. Alongside rural workers, people from all levels of society – up to the aristocratic priestly families – participated in the insurgency movement. The social complexity of the Jewish rebel groups is at variance with the peasant environment required for social banditry. Such social complexity – and this is a third objection – demanded a similar complexity of objectives: small farmers seeking to protest against great landowners over excessive indebtedness; various groups seeking to protest against the priestly aristocracy or against Roman provincial government, or against the two

together, in both cases because of the burdensome weight of double taxation; various people hostile to Rome seeking to protest over the lost independence of their country; religious groups seeking to protest against other religious groups as a result of differing opinions in matters concerning the purity of Jewish teaching. Yet these groups, however varied were the aims which differentiated them from each other and from their Jewish and Roman opponents, had one thing in common, that they were highly politicised and ready for revolutionary change. This too does not square with social bandits, who give vent to their undirected protest in simple, pre-political forms.[24]

Doubts concerning social banditry can be confirmed by consideration of some specific cases. From around 47 BC the border region between Syria and Galilee was terrorised by the *archileistes* Hezekiah and his band. He was captured by Herod I at the very start of his reign, and executed together with his comrades.[25] Josephus tells us little about the exact circumstances, but the context – Herod's struggle to establish his claim to the throne in the face of considerable opposition – suggests not a peasant rebel but a pretender with definite political aims: one might guess, a supporter of the Hasmonaean dynasty which Herod had displaced.[26] If Hezekiah had really been no more than a common bandit defeated by Herod, this would surely not have attracted the attention of the Roman governor of Syria.[27] Here, 'king' and 'bandit' stand as terms for two parties, one of whom controls the reins of power, which makes him a monarch, and one of whom disputes his position, which makes him a robber. A reversal of fortune might lead to a straightforward exchange of roles: Herod himself experienced times when he went from being a 'king' to being a 'bandit'.[28]

A generation later, Judas, son of Hezekiah, caused a stir as a 'bandit'. He appeared after the death of Herod (so, therefore, around 4 BC) in Sepphoris in Galilee as the leader of a revolt against the rule of Herod Antipas.[29] With his 'band' he attacked the city armoury, seized weapons and money and embarked on plundering expeditions. Judas may have been personally motivated in seeking vengeance for the execution of his father by Herod I, but Josephus says nothing about this. On the contrary, he claims that Judas himself wanted to be 'king'. This may be an exaggeration but it allows us to see that Judas had political aims in rebelling and that, like his father, as an enemy of the house of Antipater, he saw the uncertainty caused by the change of ruler as a chance to create some sort of position for himself or to encourage an opposition movement of which he approved.

The revolt of Simon, a slave of the dead king Herod, against Herod Antipas should be set in the same context.[30] This 'bandit' is also of interest because of his servile origin, and will therefore be dealt with in more detail in Chapter 7 in looking at 'slaves as avengers'. In anticipation of this, it is sufficient here to note only that Simon pursued political goals with the same resolve as that discerned in the cases of Hezekiah and Judas. For, as Josephus

explicitly states, Simon even had himself proclaimed king. Thus he too should be classified not as a social bandit but rather as a usurper.

A further *leistes*, likewise connected with the troubles following the death of Herod I, deserves our attention. Josephus tells of a man called Athronges,[31] a shepherd of supposedly colossal physical size and strength, who had himself proclaimed king by his 'band', and may thus also be regarded as a usurper. The giant herdsman of superhuman strength was a cliché, of which, for example, the author of the *Historia Augusta* was particularly fond in stereotyping semi-barbarian rulers.[32] Professed bodily powers were of course associated with corresponding spiritual deficiencies. But Athronges appears to have been more than a daring but stupid herdsman. He organised his followers into four regiments under the command of his four brothers. According to Josephus, these four 'bands' covered the whole of Judaea in their plundering missions though their victims of choice were Romans or Jews loyal to Herod Antipas.[33] Since the latter were synonymous with sections of the local aristocracy and since both aristocrats and Romans could be seen as exploiters and oppressors of the impoverished rural population, Athronges' movement may be ascribed a political motivation. Josephus cites as the most dramatic engagement of this group its attack on a Roman cohort which was transporting grain and weapons to its mother legion. Arrius, the centurion commanding the unit, lost his life in the assault. His comrade, Gratus, who had already proved himself in the fight against the usurper Simon, managed to put Athronges' men to flight, though without defeating them. It took time for these regiments to be defeated, one by one.

Josephus ends his report of the series of *leistai* that had disturbed the land after Herod's death with a summary that confirms that all *leistai* pursued political ends. This is expressed in his observation that absolutely anyone who knew he had the backing of some insurgent group or other had himself proclaimed king.[34] They all exploited the political insecurity associated with the change of ruler following the death of Herod I[35] to set themselves up as local men of power. Poverty and distress among the peasantry will have certainly been one of the driving forces behind the insurgency movements,[36] but only one among many. These cases do not fulfil the specific criteria of social banditry. The men concerned are *leistai* only because Josephus describes them as such.

After the period of troubles caused by pandemic banditry, between the death of Herod and the provincialisation of Judaea (4 BC–AD 6), Josephus' reports of 'bandits' cease for a while.[37] With the end of the reign of Agrippa I in AD 44, i.e., once again in a situation in which there was major change in the governance of the land, there begins a new series of references to *leistai*, of which the following serve as examples.

In 44 or 45, the procurator C. Cuspius Fadus ordered the execution of an *archileistes* named Tholomaius, who for a long period had plundered the border region of Idumaea and Arabia. Besides, thanks to his hard-line policy,

Fadus is supposed to have stamped out rampant banditry throughout Judaea.[38] During the governorship of Ventidius Cumanus, i.e., in the period 48–52, unrest flared up again between Galilaeans and Samaritans after *several* Jews (according to Josephus in his 'Jewish Antiquities'; in his 'Jewish War' he has *one*) were set upon as they crossed Samaria on their way to Jerusalem for Passover.[39] The Galilaeans blamed the Samaritans for this. Acts of reprisal followed. Galilaeans swarmed spontaneously and headed for Samaria. At the head of the 'bands' were Alexander and Eleazar, son of Dinaeus. The targets of their aggression were Samaritan border settlements. The Galilaeans slew all the inhabitants and set the villages on fire. The governor Ventidius Cumanus advanced against them from Caesarea with an armed force and killed or captured many of their number. The latter were later crucified on the orders of Ummidius Quadratus, governor of Syria.[40] Eleazar got away, and the fires of unrest were not extinguished as 'many of them . . . emboldened by impunity, had recourse to robbery and raids and insurrections, fostered by the more reckless, broke out all over the country'.[41] Since Josephus likens these events to both unsystematic robbery (which may indicate social banditry, although the context is against it) and attempted subversion (contrary to the model of social banditry because of the political dimension), the theory of social banditry, according to which mindless robbery and political motivation do not occur together, is hardly applicable here.

In contrast with Alexander, of whom we have only a name, Eleazar is more of a known quantity. When he, along with many members of his band, was captured by the provincial governor, Antonius Felix, around 61, he had, Josephus tells us, already terrorised the land for over 20 years.[42] Again, many of his comrades were crucified and general sympathisers and helpers executed. The fact that Alexander and his closest cronies were transported to Rome shows how dangerous the Roman authorities considered him to be. Josephus himself shows appreciation of the calibre of the man by classifying him as a 'bandit chief' (*archileistes*) rather than as a simple bandit (*leistes*), i.e., – to judge from the hierarchy implicit in these terms – as a member of the bandit elite.[43]

Among the leaders of revolt who made a name for themselves upon the outbreak of the War in 66 was the *Sicarius* Menahem.[44] He was a descendant of the rabbi Judas who intrigued against Roman domination around AD 6, as Judaea was becoming an imperial province.[45] Judas' protests, sparked by the census ordered by the governor of Syria, P. Sulpicius Quirinus, had both social and religious roots. Judas was utterly opposed both to paying tax to Rome and to acknowledging a secular authority.[46] Josephus counted Judas' teaching as the fourth (after those of the Essenes, the Sadducees and the Pharisees) of the Jewish philosophies in its own right, the followers of which resembled the Pharisees in everything, except their greater commitment to fighting for freedom and their recognition of no one but God as their lord and master.[47] The product of this spiritual background, Menahem, the

descendant of Judas, seems to have been pre-destined to become an active opponent of Rome. With a group of like-minded individuals he made his way to Masada and there stormed the royal armoury. Josephus tells us that with the weapons he acquired here he armed his fellow countrymen and other bandits and returned to Jerusalem with these as his lifeguard. Here he put himself at the head of the uprising and undertook command of the siege of the fortress of Antonia.[48] Because Menahem, in contrast to the leaders of other rebel groups, set himself up as 'tyrant', he was overthrown by Eleazar, later leader of the Sicarii in Masada.[49] Menahem's monarchical ambitions, of which he also made open demonstration through his costly regal garb, make it plain that he was motivated by lofty political aspirations, and these prevent him being described as a social bandit.[50]

This series of portraits of Jewish *leistai*, taken from Josephus, could be extended much further without significantly extending our knowledge of the type of bandit with which we are confronted. Concerning the social background of those involved, as well as what drove them to take part in acts of violence, Josephus' bland descriptions usually prevent us from learning anything in any detail. In any case, all the bandits we have come across looked to – sometimes very indistinct – political ends, which they pursued resolutely. They cannot be shown to be social bandits according to Hobsbawm's model. The fact that Josephus categorises rebels from different social backgrounds, variously motivated and with a multiplicity of goals, globally as *leistai* is, *inter alia*, an expression of contempt, both Roman and his own, for their breed. The term *leistes* brings out a common characteristic which, indeed, those involved had made their own and which has already been touched upon more than once: they used force to pursue political ends. 'Pursuit of political ends' is, of course, a neutral expression which no one would use if, like Josephus, they were judging matters in a partisan fashion. From his point of view, he was dealing with people who were acting illegally in attempting to win themselves a position of power, i.e., with usurpers. For 'usurper' Latin had *latro*, Greek *leistes*. In the many Jewish *leistai* we should see usurpers, great and small, a usage which is not peculiar to Josephus, but which was entirely normal in Antiquity.

This may be confirmed by a further observation. In his 'Jewish Antiquities' Josephus records a model instance of the development of a 'robber band' in the Middle East during the first century AD. The brothers Asinaeus and Anilaeus were involved. In a recent publication Brent Shaw has widened our understanding of the episode within the wider context of 'tyrants, bandits and kings' in the works of Josephus.[51] Here we are interested in only one particular aspect of the case. In his report on Asinaeus and Anilaeus, Josephus, very unusually, does not restrict himself to his stereotype – that certain *leistai* had gathered round themselves the poor, the destitute, slaves and other riff raff to elevate themselves as tyrants, and with their following had

plundered their locality. Instead, he gives a detailed account of the background to and the circumstances of the genesis of the band.

The setting of his story (which may be dated roughly to the period AD 20–35),[52] the city of Nearda, in Mespotamia, lay in an area subject to Parthia. Asinaeus and Anilaeus belonged to a Jewish family resident there. On the death of their father, their mother had her sons apprenticed as weavers. Lack of diligence led to both quarrelling with their master, who beat them. They regarded their punishment as an intolerable personal humiliation and, arming themselves, fled to a remote area where they set up a gang which recruited youths from the very poorest levels of society.[53] Structurally, the banditry of these propertyless youngsters is comparable to that which occurred in Spain, as we saw in general terms in the report of Diodorus and, specifically, in the case of Viriatus.[54] Poverty possibly played a decisive role in motivating Asinaeus and Anilaeus themselves to 'exit' into banditry, a way of life that, thanks to the political vacuum in the region, could be chosen with a fairly good chance of success. In this respect, too, conditions on the western edge of the Parthian Empire are very comparable with those in the Iberian peninsula before the arrival of Rome. Anyway, in an area noted for its herdsmen and their flocks Asinaeus and Anilaeus were soon reckoned to be invincible lords. From the local herdsmen they demanded payment of a duty on their animals. In return, they offered protection against enemies. Anyone who refused to pay was threatened with the destruction of his stock.

The story goes on, though for our purposes this is not significant. In brief, Asinaeus and Anilaeus managed to have their usurpation recognised by the Parthian royal court. Some years later, intrigues, which Josephus dressed up in the 'recurrent bandit motif of the *femme fatale*',[55] led to the sudden fall of these local dynasts. Important for us is only that, at least as far as Josephus reports them, the beginnings of the 'bandit career' of Asinaeus and Anilaeus were completely unpolitical. Whether this is completely convincing is an open question. However, Josephus was absolutely certain that it was purely personal considerations, i.e., their improper treatment as apprentices at the hands of their master, that made the brothers become bandits. In addition, neither had any part within the Jewish-Hellenistic-Roman framework of the battle for power in Judaea. They just set themselves up as local dynasts on a border of the Parthian Empire characterised by its loose power structures.

Given their unpolitical start and their sphere of operations outside Judaea, it is striking terminologically that in the case of Asinaeus and Anilaeus Josephus carefully avoids the designation *leistai*, even though the criteria for employing the vocabulary of the bandit and the robber band are fully met.[56] This, and the apolitical nature of their bandit origins, distinguishes them from the *leistai* who, as politically motivated rebels, combated the pro-Roman Jewish aristocracy and the Romans as imperial rulers in Judaea.[57] It

cannot be over-emphasised that when Josephus speaks of *leistai* he always does so in respect of politically motivated usurpers in Judaea.

3 John of Gischala and Simon bar Gora

Among the *leistai* recorded by Josephus a special place is occupied by John of Gischala and Simon bar Gora, in the first instance by virtue of the attention accorded them. Horsley repeatedly describes the former as a rebel leader who began his career as a 'bandit'.[58] Analysis of the passages devoted to him shows that before his participation in the resistance to Rome, John was neither a social bandit nor any sort of robber. The most cursory glance at the sources soon reveals that Josephus, on transparently personal grounds, belittled John, a leading figure in the rebellion, by projecting him as a *leistes*. John was a bitter political opponent of Josephus – which is more or less all that needs to be said. To characterise John as a *leistes*, Josephus drew on the same stock features employed by Roman authors in describing the *genus* of 'common robber'. If John had ever had the opportunity to describe the war as he remembered it, one of the participants would no doubt have been a particularly villainous *leistes* called Josephus.

Josephus first mentions John, son of Levi, from Gischala,[59] in respect of the events of AD 66, when the simmering resentment of groups of Jewish insurgents in Galilee escalated into violent action for the first time. In these heated conditions it was John who made a serious attempt to calm down his fellow citizens in Gischala and to prevent atrocities. When, a little later, Gischala fell victim to an attack by neighbouring cities, it was John who, with an armed militia, exacted vengeance and, demonstrating enormous energy, put in train the reconstruction of the ravaged town.[60] On first impression, John appears to have been a respected citizen of Gischala who, at the start of the Jewish revolt, defended the existing order.[61] He had the ability to balance opposites, but if the situation demanded, to take decisive action.

When Galilee, too, became involved in open warfare, John fortified the walls of Gischala. He did this in agreement with Josephus, who had issued the appropriate order in his capacity as commander-in-chief for Galilee.[62] To begin with, as may be gathered from the appropriate episodes, Josephus regarded his comrade-in-arms respectfully and sympathetically. It was only later that the two fell out, becoming enemies and rivals, with Josephus totally changing his opinion of John. Out of deepest loathing, he ascribed to his adversary all the worst traits he could think of, a devastating psychological profile shared by no other participant in the Jewish War.[63] One detail rendered suspect by Josephus' tendentious distortion of the truth is the poverty which he makes much of as the determining circumstance of John's existence.[64] Though outwardly benevolent, inwardly he was driven by an intractable desire for enrichment, and he did not shrink from murder. In

contradiction to this, we learn later from the same author that, as a rebel leader, John found backing among members of the upper class, since he himself came from the upper reaches of society.[65] When Josephus finally asserts that John was no more than a common bandit,[66] his own conflicting statements reveal the charge as groundless. Given such manifest attempts to defame John, it would be dubious to call upon Josephus' invective as historical support for the claim that John was a social bandit who later became a leader in the Jewish revolt against Rome.

There seems no doubt that John came of a distinguished family in Gischala, and may be regarded as a member of the 'ruling class of Judaea'. Goodman, whose phrase this is, remarks correctly that John was treated with a degree of respect by his conqueror, Titus, that would never have been accorded to a common bandit.[67] Josephus' references to his poverty were either plucked from the air,[68] or at best might indicate that his family had lost its wealth during times of economic and social crisis.[69]

In total contrast to what he says about John of Gischala in his 'Autobiography', in his 'Jewish War' Josephus sets out to lead his reader into believing that John was some poor devil who, to begin with on his own account, eked out a living as a bandit. In the course of time, he became the leader of a gang of desperate but capable villains, four hundred strong, for the most part runaways from Tyre and its region. With these robbers, John is supposed to have gone plundering through Galilee.[70] These men were probably the same as those who, in the more sympathetic account of the 'Autobiography', sought vengeance for the pillaging of Gischala by neighbouring towns.[71] What we have to understand, whenever Josephus mentions 'bandits' and their depredations, can be seen, for example, in his description of an incident in which he sought to use plunder from a bandit attack carried out under his own responsibility to finance the fortification of the city of Taricheae. The booty came from an assault by a body of scouts under Josephus' command against members of the household of Agrippa II and Berenice.[72] Although Josephus, at least officially, very much frowned on the event, it is telling that these very 'bandits' escaped being termed *leistai* by him.

The key to understanding Josephus' deprecation of John of Gischala lies in the deep enmity between the two men, both originally champions of the same ends. Such information we have on this, itself suspect, comes from Josephus' 'Autobiography', written a long time after the 'Jewish War'.[73] Towards the end of his literary creativity, Josephus was, of course, so far removed from events that he might again talk about even so bitter an enemy as John in a fairly balanced way, though he could still not bring himself to do this. According to the *Vita*, John had, probably also in 66, sought leave from Josephus to seize Roman grain stores in northern Galilee; proceeds from the sale of the grain were supposed to help finance the fortifying of Gischala.[74] This method of funding war expenditure from confiscated property was, of course, the very one that Josephus had, according to his own account,

himself made use of. The problem was that John was thought to have misappropriated these funds. His guilt was far from certain, but as early as this Josephus was deeply suspicious of him. He does not say anything definite, confining himself to vague misgivings that John was bent on change and was aiming at taking control.[75] It soon becomes clear that what is meant by 'control' is supreme command of the rebels in Galilee, i.e., Josephus' own position. Why John disputed Josephus' rank remains obscure. The general impression given by the *Bellum Iudaicum* is that, during an economic crisis aggravated by war, John speculated in olive oil, buying it cheap in Galilee and selling at exorbitant prices to the Jewish population of Syria.[76] Could the story of his embezzling of the grain money result from the testimony of the 'Autobiography' being contaminated by that of the 'Jewish War'? At any rate, we need not believe Josephus' story that John pocketed the profits from dealing in foodstuffs or from the sale of grain, instead of using them for the fortifying of Gischala or other war expenses. Josephus further asserts that John had, unsuccessfully, woven intrigues against him.[77] He spread the rumour that Josephus wanted to hand over Galilee to the Romans.[78] In this, of course, John touched Josephus on a sore point; and here lurked probably the most profound cause of their quarrel. Since Josephus later in fact went over to Rome, this charge by his rival must have affected him deeply. On the one hand, Josephus may be said to have shown candour in not simply suppressing mention of so hurtful – given what was to follow – an accusation by an opponent who turned out to be right. On the other, that under such circumstances Josephus, in his narrative, felt obliged to belittle John as a common bandit requires no further explanation.

The rivalry between the two men developed into a struggle over the military command of Galilee. Although Josephus was inclined to criminalise and marginalise John's supporters, these appear to have been great in number and to have hailed mainly from social groups other than the poor.[79] Josephus had to resort to trickery to defend his position.[80] Cities such as Tiberias, Gamala, Gischala and Sepphoris backed first one side then the other. John united practically the whole of the opposition to Josephus behind him, including rich and influential individuals who paid mercenaries to topple the latter.[81] Josephus survived, but at a high price – the plundering of the three important cities of Sepphoris, Tiberias and Gischala.[82]

In the later stages of the war, John appeared at the head of the resistance movement in Gischala, the last free city in Galilee.[83] Negotiations were held between Titus who, with his army, had advanced to the gates of the town, and John, who promised to use his influence to urge a peaceful surrender of the place but asked for a day's delay on account of the Sabbath. According to Josephus' prejudiced account, his request was only an excuse to give himself the chance to save his own skin.[84] In fact, John did use the night he had won to take flight to Jerusalem, during which (again, according to Josephus) he soon abandoned most of those fleeing with him.[85] The next day, Gischala

threw open its gates to the Romans. Troops were sent in search of John; he had already reached Jerusalem when they came across the supporters he had left in the lurch. Six thousand of them are supposed to have died.[86]

In Jerusalem John joined the Zealots[87] – now for the first time named explicitly as such by Josephus.[88] However, he kept his recruitment secret since in public he pretended to be working for the Zealots' opponents, led by the high priest Ananus. This, again, is what Josephus says, making out John to be a secret agent of the Zealots.[89] If one were to believe Josephus, it was John who helped bring about a major polarisation between opposing views in the city. After a while he eventually parted company with a section of his own supporters, the consequence of his inability to subordinate himself to the decisions of a community and his desire to establish a 'tyranny'.[90] However, according to Josephus, the remaining Zealots gave themselves up to him so enthusiastically that he was able to take his arbitrary behaviour and the licentiousness of his followers to new heights.[91] Meanwhile, resistance to him had grown so strong in Jerusalem that the group led by the high priest, Ananus, supported by the Idumaeans who had originally stood by John, summoned Simon, son of Giora, to help them topple John. Thus Simon took over the city, while John's Zealots took refuge in the Temple.[92] A third grouping, a further branch of the Zealots under the leadership of Eleazar, son of another Simon, likewise hostile to John, held the innermost court of the Temple.[93] John must now fight on two fronts,[94] but managed to overcome his enemies inside the Temple, which caused the conflict to be concentrated anew between the two main groups under their principals, Simon and John.[95] When Titus began his siege of the city, the opposing parties came together under pressure of the outside threat.[96] Together they defended the Temple and the Antonia fortress against the Romans, who had now entered the city.[97] In the last phase of the siege, John – Josephus cannot hide his feeling of outrage at this – even took hold of the Temple treasure, a sacrilege from which, as he says, even the Romans had always recoiled.[98] After the fall of the Antonia, Titus opened up negotiations with John with a view to avoiding the storming and destruction of the Temple. As his agent he appointed – Josephus! Because John did not take up this offer of talks he was, as far as Josephus was concerned, without doubt the man responsible for the ruination of Judaism's central shrine.[99]

After the burning of the Temple, Titus sought an interview with John and Simon. We are told that he tried in vain to persuade the leaders of the rebellion to surrender.[100] Josephus remarks ruefully that in sacking Jerusalem the rebels raged about worse than the Romans.[101] Finally John and Simon gave themselves up. The latter was led in Titus' triumph and then killed; John was sentenced to imprisonment for life.[102]

John of Gischala may be numbered among those *latrones* or *leistai* who, as defeated political enemies, were dismissed as 'bandits' by the victor, Rome. Following his desertion, Josephus may be seen as both a self-apologist and a

representative of Roman public opinion. In John's case, next to his political opposition to Rome his personal hostility to Josephus played a crucial role in his degradation. Judge and condemned man were from the same level in society; on the judge, Josephus, however, pressed the charge of being a quisling. So Josephus, the apologist, sat at once on the bench and in the dock. His verdict was that the accused, John, was a 'bandit'. In this way he defended himself against the unspoken reproach of his former comrade, who could at least claim that he had never changed sides and had always remained true to his cause.

The personal dimension which formed Josephus' opinion of John of Gischala is lacking in the case of the other Jewish rebel to whom he gives special attention, Simon bar Giora.[103] Simon appears for the first time in Josephus' account at the start of the Jewish War, attacking Roman troops under the governor of Syria, Cestius Gallus.[104] Like John of Gischala before him, Josephus deals with Simon in great detail, appropriate to his importance in the conflict.[105] He tells us that Simon came from Gerasa, was not as cunning as John, but was his superior in strength and courage. Originally, he had 'acted' the ruler in the toparchy of Acrabatene, in the north of Judaea, but was expelled from here by the high priest Ananus. He then joined the Sicarii, who held Masada. They had received him with some reluctance, but then repulsed his attempt to become their leader. Josephus reckons that Simon's aim was tyranny. When he learned of the death of Ananus, he left Masada and set up a gang in the mountains, promising slaves freedom and freemen prizes, in this way gathering around himself all the rascals of the locality.[106] This could have been Tacitus speaking: among other things, his 'bandits' are characterised by their frequent resorting to the mobilisation of slaves and the scum of society.[107] But Tacitus' bandits are not the only ones to share this feature. Hirtius, the continuator of Julius Caesar's 'Commentaries' on the Gallic War, accuses the hostile leader of the Senones, Drappes, of gathering around himself depraved scoundrels (*perditi homines*), of inciting slaves to flee to freedom (*servis ad libertatem vocatis*), of sending for the exiles from every tribe (*exulibus omnium gentium adscitis*) and, finally, of recruiting bandits to his ranks (*receptis latronibus*).[108] Given these analogies, it is likely that similar tales of Simon bar Giora's activities were devised simply to complete the horrifying picture being painted by Josephus. They can hardly be testimony for the authentic, 'quasi-royal' measures that O. Michel wishes to see in them.[109] Contrary to Michel's view, Simon's revolutionary machinations are very much in line with Josephus' picture of a Hellenistic/Oriental tyrant or, specifically in respect of the last, of a bandit leader destroying the social order.[110]

Josephus' account of the career of Simon 'the bandit' is so conventional that it is interchangeable with that of many another robber of the Roman period. He begins with Simon's aiming at tyrannical rule and, generally, 'greatness'.[111] Whatever the precise meaning of this, 'tyrant' signals that this

leistes is to be presented bearing the traits of the conventional usurper. The deserter, Maternus, dealt with in a later chapter, was similarly driven by the desire to perform a great deed, even if it killed him.[112] So Simon started by promising slaves freedom and freemen prizes, and thus quickly had many recruits on his books. That this claim is a stock theme has already been pointed out through comparable references in Tacitus. The development of his 'band' is set, stereotypically, in a 'bandit friendly' mountainous region. There, one might say as training exercises, he first fell upon and sacked villages. As time went on, his gang grew ever stronger, and finally he ventured to leave the highlands and attack the larger towns of the plain. All this is just literary convention. Tales of the rise of bandit gangs always sound like this when the narrator has no precise idea of how things started or has no spectacular events to report. In Herodian's account of Maternus, the corresponding passage is just the same.[113] Such circumstances occasioned the insertion of a pre-prepared fictional piece, describing how, in line with common experience, a gang of bandits came into being and grew until it reached a size at which it was able to exercise its own political power.

Anyway, in the meantime, Simon gained a strong position, becoming a local focus of political power. He no longer attracted just runaway slaves and down-and-outs, but also honest citizens who turned to him for protection and treated him like their king.[114] The bandit gang became a state within a state: morally, thanks to the subordination of its members to the rule of the 'king'; and practically, as a result of the sheer conventionality of its operation. At any event, this is how Josephus describes Simon bar Giora's rise to power. O. Michel deduces from his tendentious account that Simon, as leader of the revolt in southern Palestine, assumed a position similar to that won by John of Gischala in the north of the country.[115] That this assessment is probably correct can be seen from how Titus treated Simon, sending him, like John of Gischala, as a prisoner-of-war to Rome. However, unlike John, Simon had to accompany the *triumphator* through the streets of Rome as a vanquished foe.[116] To judge from this, as far as Rome was concerned Simon was more important than John. With respect to what Josephus has to say about Simon bar Giora, this suggests that here, too, we do not have an aristocrat talking about a common bandit, but about his social equal.

Let us return to the story of Simon. According to Josephus, his ultimate goal was mastery of Jerusalem. The Zealots of the region, fearing his expansion, opposed him by force of arms, but he overcame them. He then took control of Idumaea.[117] For the moment, his power had peaked. The Zealots, unable to shake him by military means, took his wife hostage, but he forced her release with terror attacks targeted on Jerusalem.[118] In these atrocities Simon demonstrated particular cold-bloodedness. Like a wounded animal, says Josephus, mad with anger he seized on all he came across, old or young, armed or without weapons, and tortured them to death or hacked off their hands and sent them back to Jerusalem. The word that Josephus employs

here is *hyperbole*,[119] denoting intemperance, a peculiarity of tyrants. Following O. Michel, we can term this part of the story a 'legend', 'that intensifies the picture of the oriental despot'.[120] Simon achieved his end of taking over Jerusalem by allying himself with the high priests and groups in the city hostile to the Zealots, promising them that they would be rid of this movement.[121] The result of their decision was that the number of civil-war factions in Jerusalem was increased by the addition of another group, which followed its own agenda.[122] Simon proved totally unable to remove the Zealots, but his adherents and those of John of Gischala came together during the last phase of the Roman siege of the city.[123]

As already mentioned, of the Jewish rebel leaders, Simon alone was paraded before the Roman public in Titus' triumph and executed to make their holiday.[124] Though I remarked earlier that Josephus was able to assess Simon a good deal more objectively than John of Gischala, this needs to be qualified. Simon bar Giora was, to be sure, no personal rival of Josephus. However, by virtue of what happened to him, he represented, just like John of Gischala, those committed individuals who had never abandoned their goals, and therefore stood in silent reproach of Josephus. Overall, Josephus' picture of him reveals recourse to the conventional images of the Greco-Roman stock theme of the bandit and tyrant. Simon bar Giora, too, was never a social bandit.

4 The mass suicide of the Sicarii at Masada

The Jewish War officially ended with the destruction of the Temple at Jerusalem. In 71, Titus celebrated his triumph. The reliefs in the passageway of his triumphal arch in Rome, with their famous depiction of the *menorah*, the seven-branched candelabrum, give a striking snapshot of this.[125] However, as is well known, Jewish resistance was not yet fully broken. Sicarii who survived the storming of Jerusalem had taken refuge in the almost impregnable mountain fortress of Masada. This last bulwark of the rebellion succumbed only in 73. The fame of these Sicarii sprang from their decision not to let themselves fall alive into Roman hands. They chose instead to slay each other, in an act of mass killing.[126]

The myth of Masada plays a key role in the self-conception of modern Israel. We can say that the country identifies itself with the heroes of the fortress. This results both from the trauma of the Holocaust and from the very practical anxieties generated by Israel's conflict with her Arab neighbours. In 1973, in an interview with *Newsweek*, Golda Meir confirmed the reality and the power of Israel's 'Masada complex'.[127] Recently, J. Cobet has demonstrated that within Jewish tradition the Masada myth enjoyed no continuity but was, after centuries of oblivion, first recalled to memory during the period 'between Zionism and pogrom' and then, in modern times, helped by archaeological excavation at Masada, became part of the identity

of modern Israel.[128] The myth, however, depends on ancient events as recounted by Josephus. Thus we must go to Josephus to seek out its origin.

That, from the start, Josephus contributed to the elevation of the historical events at Masada to a mythical level is immediately evident from a simple observation. While on the one hand, he claimed that all 960 persons shut up in Masada had, thanks to their collective decision, died there, on the other, he found himself in the position to give a precise, graphic and dramatic account of what happened there, right up to the deaths of the besieged. It has long been recognised that he composed his narrative according to the rules of ancient historiography,[129] including the two dramatic speeches of Eleazar, for the understanding of which one needs only to recall Thucydides' general remarks on orations.[130]

I stress that what follow are not matters of fact but the results of literary revision; and I remind readers that even the Sicarii blockaded in Masada were, in Josephus' terms, *leistai*. The question thus arises as to why the death of these very people became the most famous, the most dramatic and, in its literary re-working, the most perfect example of mass suicide in Antiquity. For his study of suicide in the ancient world Anton van Hooff established a total of 76 known cases of communal self-killing, in which thousands of people chose voluntary death, mostly out of desperation and mostly in conditions that were no less dramatic than those at Masada.[131] Masada was only one link in a long chain. A comparable case, chosen from the many recorded parallels, is Saguntum when it was under siege from Hannibal. We are told that the Saguntines, recognising that their city would soon be stormed, brought everything that they had of value to the market place, surrounded it with flammable materials, set fire to it, and then threw themselves to their deaths in the flames.[132] Valerius Maximus classifies this under *de fide publica*, and comments that the Saguntines had decided to die in this manner to avoid being untrue to their alliance with Rome (*ne a societate nostra desciscerent*) – in the light of Roman inaction with regard to the city, a truly cynical remark. However, at least in the literary version, *fides* – loyalty to one's allies, loyalty to political goals and loyalty to oneself – binds the hopeless of Saguntum with the hopeless of Masada. Behind both stories must lie much more prosaic historical happenings. The leaders of the pro-Roman group in Saguntum may, for example, have preferred to kill themselves rather than face Hannibal's likely vengeance; and those shut up in Masada could have entertained no illusions as to what they might expect in Roman captivity. But against the demands of literary style all this counted for nothing.

To appreciate the precise significance of the incident at Masada we must first establish the deeper meaning of the mass suicide. By taking each other's lives, the *leistai* of Masada did not just evade being imprisoned and punished by their conquerors. By preferring death by their own hands to that by Roman weapons, or to surrender to Rome, they robbed the victory of its completeness, and the victors of part of their power and glory.[133] They

stopped Rome from being in a position to make her traditional choice between pardoning the conquered and bringing the mighty low, and so exercise – whether through *clementia* or *crudelitas* – the absolute power of the conqueror.[134] From their point of view, their mass suicide amounted to a demonstration of their invincibility, not physically but morally. In respect of their literary function, the deaths at Masada symbolise the indomitable bandit – a theme we encounter in many cases in Antiquity albeit with some variations. Thus the legends of Viriatus and Bulla Felix convey the view that the 'noble' bandit can be overcome only through treachery.[135] But in these cases things are somewhat different from that of Masada. The difference consists in the manner in which invincibility was demonstrated. The 'bandits' of Masada left their victors mere mortal remains; by their deaths they conferred immortality on the ideals for which they had pledged their honour and in respect of which they had never compromised to their victors – demonstrating perfect *fides*. Something of this attitude is expressed in a scene which occurred during the storming of the Temple by Titus. Cassius Dio reports that here many Jews had thrown themselves on to the swords of Roman soldiers, others had leaped into the flames, and some had killed each other or themselves. Everyone, he continues, even those who did not take part, knew what it meant for these men to perish with the Temple: victory, deliverance and bliss.[136]

As this last example shows, Masada was not the only example of communal suicide in the history of the Jewish War. As early as the capture of Jerusalem by Pompey the Great, countless Jews had jumped together off Temple Mount.[137] From the War itself we know of another, even more shocking incident. When Gamala fell, 5,000 of the city's inhabitants killed themselves just as dramatically as the Sicarii of Masada.[138] And yet it is only what happened at Masada that is regarded as the quintessence of communal self-sacrifice.

The key to the understanding of Masada lies in the following event. Before Josephus surrendered himself to the Romans at the siege of Jotapata, his comrades had decided under no circumstances to give themselves up to the enemy troops but – to take each other's lives.[139] Of course, they expected Josephus, as their commanding officer, to join them in their decision. He tried in vain to dissuade them from their plan, being unable to convince them that they need not fear the worst from the Romans. At his suggestion, they then drew lots to determine the order in which all should kill, and be killed by, one of their fellows, thus avoiding the act of suicide.[140] The draw resulted in Josephus and one other man being left the last alive. What Josephus was unable to achieve with the group he managed with the individual, persuading him that together they should surrender to the Romans. Josephus speaks of his life being saved by accident or by divine providence,[141] but perhaps he interfered with the process by which the order was drawn up. At any rate, he must have realised that his contemporaries and,

later, his readers might well assume this – as indeed happened[142] – and so his position remained irksome and embarrassing.[143] In the same way as they influenced Josephus' portraits of John of Gischala and Simon bar Giora, his feelings of personal guilt and shame could well explain the literary monument that he set up to the Sicarii of Masada. The myth of Masada owes its existence in one respect, therefore, to the 'Masada complex' of Flavius Josephus.

5 Conclusion

The many 'bandits' in the works of Flavius Josephus have been revealed as rivals for political power in Judaea. In this respect, the events described in this chapter quite easily match those dealt with in Chapter 4. However, treating the bandit theme in Josephus in a separate chapter is justified by the complexity of the source material and, in particular, by the stimulating research generated by this particular topic.

Josephus deployed the term 'bandit' entirely pejoratively and described the rival politicians to whom he applied it using the same conventional clichés as used by Roman writers. He acted from the standpoint of a Jewish aristocrat and rebel leader, who sought to manage the turmoil created by problems within his society and by its subsequent setting of itself on a collision course with Rome. But he then went over to Rome and so had to defend his actions. He felt compelled to defame his original comrades, later his bitterest opponents, John of Gischala and Simon bar Giora as common bandits in order to be able to face himself, to face a Jewish society wrecked by its war for freedom, and to face his Roman friends.

The Jewish *leistai* were never in any sense social bandits. Eric Hobsbawm's model, claimed by one school of Jewish studies as the explanation for the troubles in Judaea, can be shown to be inappropriate in its application to Josephus' *leistai* since Hobsbawm's criteria largely do not fit Jewish society of the late Second Temple Period. This negative conclusion, reached by checking the model of social banditry against the Jewish *leistai*, justifies the fundamental criticism directed against it by students of modern history. The exercise suggests that Roman society never knew social bandits as described by Hobsbawm. On the other hand, in Roman literature we encounter outlaws who closely resemble Hobsbawm's social bandits, as with Bulla Felix, the subject of the next chapter. However, such bandits always turn out to be products of fiction; and so I can conclude this chapter, too, by emphasising that the *latro* is a literary stock theme, not a social type.

6

IMPERIAL CHALLENGERS: BULLA FELIX AND MATERNUS

1 Introduction

This chapter deals with the two most colourful bandits within the Roman tradition: Bulla Felix, the famous robber chieftain of the Severan period, and Maternus, leader of a deserters' uprising under Commodus. I take them in reverse chronological order because of possible links between the sources – links which are better explicated by dealing first with Bulla Felix.

In 203, after visiting his North African homeland, Septimius Severus returned to Rome. The capital became his residence for about four years, until spring 208, when he began his British campaign.[1] The first phase of this, the longest of Severus' sojourns in the City, was taken up with magnificent staging of the Secular Games. Severus, in this respect deliberately associating himself with Augustus, sought to use these to herald the start of a new era. The rule of the Severan dynasty was commended as guarantor of the peace and good fortune of the new age.[2]

However, as shall soon be seen, this was not a propitious time for Italy. The fall of the praetorian prefect, Plautianus, cast gloom over the start of 205;[3] trials of senators followed.[4] Caracalla and Geta excited increasing gossip in Rome on account of their unbridled dissipation.[5] And over the following two years a great stir was caused by a bandit gang, 600 strong, operating in Italy. Its leader was an Italian named Bulla, also nicknamed Felix.[6] It took two years to put it out of action.[7] The author of the *Historia Augusta* perhaps made reference to it in his laconic observation that Severus was merciless to *latrones*, wherever he found himself.[8]

Cassius Dio provides a lively and detailed account of Bulla, who thanks to this report by a contemporary historian is probably the best known bandit of the Roman period. Given the narrow criteria by which Roman historians selected their material,[9] there can be no doubt that Dio's expressive narrative was intended for a deeper, moralising purpose. The historical context, summarised above, indicates the first reason for Bulla's appearing in Dio's text. His 'History' illustrates how fragile domestic peace was in Italy during this period, how deeply the mischief of the civil wars was still working its way

out. But such reportage amounted to more than simply the depiction of the background to events. Dio's principal aim was to show that the emperor, the man responsible for peace and order, the avenger of Pertinax, the conqueror of Pescennius Niger, the Parthians and Clodius Albinus, found it hard to deal with so trivial a challenge as that of a robber band. In this case, too, one suspects from the start that Bulla Felix, at least as far as he is depicted by tradition, was no authentic historical figure, but the result of literary elaboration.

2 Bulla Felix

As far as Bulla's origins are concerned, all that we know for sure is that he came from Italy.[10] His name has no direct epigraphic or literary parallels.[11] This in itself may be an indication that it was a pseudonym, with a coded meaning.

The Latin name 'Bulla' was derived from the *bulla*, a bubble-shaped amulet worn on the costumes of the emperor and members of the imperial family as a visible sign of their status.[12] Any bandit calling himself Bulla thus carried an element of imperial dress in his name, and in so doing made a symbolic claim to imperial rank. This claim occurs more clearly in Bulla's connection with the sobriquet 'Felix'. From the reign of Commodus, emperors bore this epithet among their titles as an expression of accomplished good fortune.[13] By adopting it, Bulla laid claim to an attribute that was properly an imperial distinction.[14]

But this is not all that may be said about the force of the name 'Bulla Felix'. It can hardly be accidental that Bulla Felix sounds like Sulla Felix,[15] for this sums up the Severan bandit chief in a nutshell. Self-confidence, courage, ambition, resolution, guile, unscrupulousness and luck had all allowed the Republican general and dictator, Sulla, to pursue and achieve his political goals.[16] We shall see below how close Bulla came to the qualities attributed to Sulla. Observant contemporaries might well have made the connection, in particular senators such as Cassius Dio, forced into unpleasant recollection of the name Sulla only a short while before the appearance of Bulla. After the fall of Clodius Albinus, Septimius Severus had addressed the Senate. Among the *patres* were many followers of the dead usurper, naturally concerned for their own survival. Their worst fears appeared to be realised when Severus vigorously proclaimed that now was the time to dispense with the clemency of a Pompey or a Caesar, and that severity and cruelty, the tried and tested principles of a Marius, a Sulla, an Augustus, were much more effective.[17]

Whoever gave the bandit the name Bulla Felix, its complex associations betray a keen awareness of the psychological effects of programmatic designations. The adoption of *bulla*, a piece of imperial insignia, the usurpation of

felix, an imperial title, and the calling of himself Sulla, a name only recently unpleasantly and deliberately recalled to memory, could be seen as acts of provocation by the bandit which the emperor must – and, indeed, as events were to show, did – interpret as a direct challenge. One other detail points in this direction: according to Cassius Dio, Bulla's band consisted of 600 men. Is it possible that this figure, too, had a symbolic content?[18] In circumstances where a bandit uses his name to signal that he wants to be seen as the antitype of the Roman emperor, it is not implausible to see in his 600-strong gang a reflection of the Roman Senate, the nominal strength of which was also 600. Emperor and Senate represented the political leadership and social elite of the Empire. In the mirror image offered by Bulla and his men, he played the part of the emperor and they that of the Senate.

All further discussion should be prefaced by the following consideration. Even if only part of what Cassius Dio says about Bulla Felix corresponds with what actually occurred, we must constantly bear in mind that the former was an intelligent man, close to the centre of the imperial government, who knew his way around the corridors of power, civil and military, high and low: someone with a precise understanding of court psychology.

3 The bandit and his opponent

Bulla and his band terrorised Italy for over two years, under the very noses of the emperor and his army. Severus, we are told, was tireless in tracking down Bulla, using a large force of troops specially detailed for the task; however, thanks to his cunning, whenever the bandit was believed to have been sighted, located or captured this never turned out to be the case.[19] Cassius Dio more than once reports on such breathtakingly audacious bandits – the Spaniard, Corocotta, under Augustus,[20] and Claudius, active only a few years before Bulla, also under Severus, in Judaea.[21] This pair, too, in spite of every effort, evaded capture. Claudius (concerning whom more will be said below) disappeared from history. It can have been no accident that the infamous Corocotta shared his name with an exotic predator, well known to circus audiences as a terrifying beast.[22] Augustus had put a price of 1,000,000 sesterces on his head – a huge sum, equivalent to the minimum property requirement for membership of the Senate. In the end, Corocotta gave himself up to the emperor. In view of his daring, Augustus is supposed not only to have let this dangerous 'predator' go unpunished, but also to have given him in full the bounty payable to his captor. Dio uses Corocotta to illustrate aspects of Augustus' personality:[23] the emperor's right royal response to the bandit, which he had pat, manifests a strong sense of humour and unshakeable self-confidence. In dealings with desperate villains, the first *princeps* set his successors high standards. The extent to which Septimius Severus came up to these standards will be seen in the history of Bulla Felix. In this respect, any optimistic expectations will be disappointed.

As already described, Bulla Felix's game of cat and mouse brought home to the emperor and his security forces the limits of their power. We are told that in planning his robberies he had available to him such a wonderful intelligence network that he knew precisely who had left Rome, or had put into harbour at Brundisium – how many they were, and what they had with them.[24] If this is true, Bulla must have had many well-wishers and supporters among the population, perhaps even in public positions.[25] We may gain an idea as to how he may have won a certain sympathy among ordinary people from the following. Dio says that whenever Bulla captured anyone, he robbed them of only a portion of their possessions, then immediately let them go on their way, otherwise unharmed. This sounds very much like the romanticisation of a proto-Robin Hood, who did not strip his victims of all they had and, above all, spared their lives – Hobsbawm's 'noble bandit'.[26] The reality will have been rather different. Apart from the fact that not all bandits need be bloodthirsty killers (one has only to think of the English highwaymen, who famously plied their trade as 'gentlemen of the road'), their overwhelming preference (as, presumably, that of the historical Bulla) is naturally for well-to-do victims: they are, after all, primarily interested in booty. Seneca's observation that the bandit lets through the destitute,[27] is only a more elegant way of saying that a naked man has no pockets. Cold calculation would become noble motive only when transformed by legend. This had little to do with the real Bulla Felix.

It follows that if Bulla Felix, the noble bandit of legend, was projected as mirror image and challenger of emperor and state, the emperor is to be seen as the true bandit, who robbed his victims of all they possessed. His 'victims' were, in the widest sense, all those who, through taxation and special exactions, were brought to the brink of ruin,[28] more narrowly, however, the well-to-do who, because of their property, were hauled before the courts. From the case of Commodus we know that an emperor could be directly reproached for being a bandit. A contemporary document from Egypt calls him a 'robber chief' (*leistarchos*),[29] and according to his biographer, 'He slew whomsoever he wished to slay, plundered a great number, violated every law, and put all the booty into his own pocket.'[30] Though Bulla Felix was not set up against Commodus, he was set up against the latter's so-called adoptive brother, Septimius Severus, criticised by senatorial historiography for his anti-Senate policy, his execution of senators, his confiscation of property and, generally, for his raising of cash by any possible means.[31] It therefore seems acceptable to interpret the narrative concerning Bulla Felix, who was merciful to his victims, as indirect criticism of imperial greed.

Similarly transformed by legend appears to be the notice that follows, that Bulla temporarily detained *technitai* to make use of their skills, and then let them go with a gift.[32] Modern translations of Dio render *technitai* as 'craftsmen'.[33] There can be no doubt that, for example, weapon smiths and wheelwrights could have rendered Bulla valuable service. On the other hand,

besides 'master craftsmen' *technitai* can also denote experts in fine arts and in the stage. It was in this sense that *technites* achieved fame of a sort through Nero's last words, also reported by Cassius Dio: 'Oh Zeus, what an artist perishes in me!'[34] If 'artist' is also intended or included in what Dio says about Bulla, this detail acquires quite a different resonance. A Bulla Felix who detained and rewarded artists was making himself out to be an educated, cultivated and generous monarch, with a court resplendent as a home of the muses. The households of Hellenistic kings may have been his model. The sharpest possible contrast to this subtle evocation of royal sensibilities at a bandit 'court' was offered by the boorish soldier-emperors of the Severan dynasty. Here it is sufficient to recall the advice that Septimius Severus is supposed to have given his sons on his deathbed: 'Enrich the soldiers, and scorn all other men.'[35] Dio's (or whosesoever else it was who helped work up the story) sideswipe, covertly criticising the monarchy of his day, struck all the harder because the idealised negative of the Severans was to be found in a bandit.

Using two examples, Dio then reports on the masterly daring with which Bulla led state officials by the nose, demonstrating his superiority and teaching them a lesson.[36] The first was occasioned by the capture of two members of his gang, who were sentenced to be thrown to the beasts in the arena. Disguised, Bulla appeared before the soldiers guarding the prisoners and pretended to be a city official.[37] He commanded that certain named prisoners be handed over to him. Among these were, of course, his comrades-in-arms, to whom he thereby restored life and liberty. The course of events here will have been known to Dio's readers, *mutatis mutandis*, from another act of liberation. Under Marcus Aurelius, there was unrest among the Bukoloi, herdsmen of the Nile delta, notorious as bandits.[38] The catalyst was, apparently, the arrest of some of their number by Roman police officials. Under a leader called Isodorus, a chosen group of men attempted a daring rescue. We will return to the incident later. Suffice it here to say that the Bukoloi took on other roles to release their comrades: they disguised themselves as the prisoners' wives to surprise the guards. Dio seems to have developed a taste for having his bandits appear in fancy dress. And it looks as if he used this imaginative device a third time – about which more, again, below.

Whether these events ever actually occurred, which has to be doubted, is not really important in this context. What matters in both instances is the impudent cunning used against the Roman state and its forces, likewise demonstrated in the following scene.

Bulla again pretended to be someone else. This time he played a simple robber – from the band of Bulla Felix. He gained access to a centurion commissioned to destroy him and his men. Informing on himself, he promised this official that he would deliver Bulla into his hands, if he accompanied him to the bandit's lair. It was the fate of the poor centurion, the trusting representative of an incompetent military apparatus, to make himself a pitiful

laughing-stock. But in this there is another parallel to the centurion who was fooled by the Bukoloi dressed as women. One might think that Dio was targeting Roman centurions. Anyway, the unsuspecting man was easily overpowered and then forced to endure the second act of this grand piece of theatre staged at his expense.

Before looking at this, let us first consider another of Dio's variations on the theme of a bandit making officialdom look stupid. In this case, the butt of the joke was no less than Septimius Severus himself. We have already met the instigator of this piece of villainy: Claudius, a bandit who made mischief in Judaea and Syria during the first Parthian War. According to Cassius Dio, Claudius had formally overrun both provinces.[39] Claudius, the bandit chief, will therefore hardly have been the leader of a small common robber band. That he hunted over so wide a territory is evidence for the clever way he operated, and for the deficiencies of the provincial police services, even though, as will be further emphasised below, they had increased their search for him to an extraordinary degree. Claudius gave Severus a taste of his abilities and of the failings of the emperor's underlings, not to mention his keen sense of humour and his courageous self-confidence. He sought out Severus in person, to this end donning disguise. Accompanied by several horsemen, themselves dressed up as troops, the scoundrel saluted the emperor, who had no idea what was happening, kissed him, and then disappeared with no one the wiser. On the basis of the material assembled, we can now list particular themes such as audacity, lack of deference, disguise and even a hoodwinked emperor, as hallmarks of Dio's narrative.

We can now return to the story of Bulla Felix and the duped centurion. Bulla took on a second acting role. Dressed as a magistrate, he mounted a tribunal. Though the impersonation might well be an invention of Dio, it should be seen as a representation of reality – namely that how people appear is decisive in determining the acceptance by others of the position they hold or are claiming for themselves. This is to be seen in monarchical dress, the outward and visible sign of its wearers' lofty status.[40] For someone who is simply acting the part, the authentic attributes of the position claimed, in particular its dress, are, of course, more important than they are for the legitimate holder of the post. Eunous, the slave king, was certainly moved by more than a whim when he placed a diadem on his brow, decked himself out in royal finery, had his wife officially designated queen, made available to himself a cook, a baker, a masseur and an entertainer, gave himself the regal name Antiochus and called his followers 'Syrians'.[41] The suggestive force of this operatic set was certainly big enough to make Eunous' entire artificially created state apparatus appear real and therefore credible to insiders and outsiders alike – as real and as credible as the supposed magistrate before whom Bulla had the centurion led.

Bulla ordered the 'accused' to have part of his head shaved, and then immediately dismissed him, commanding him to take a message to his

superiors. This communication amounted to something of a social criticism. The centurion was supposed to say to his masters that they should give their slaves enough to eat, to prevent them turning to brigandage.[42] Previous recognition that a humane attitude on the part of slave owners was a precondition for peaceful coexistence between free and unfree may be seen as the moral of the story of Drimacus, a slave leader from Chios in the Hellenistic period.[43] However, Bulla's case is closer to that of Bato, leader of the Pannonian/Dalmatian rebellion of AD 6–9. Bato applied the same sentiment to the relationship between the Roman provincial administration and its peoples when he reproached his conqueror, Tiberius, with the words that it was the Romans who were solely to blame for his people's resistance, since to tend their flocks they sent not dogs or shepherds, but wolves.[44] Again, we owe Bato's pronouncement, which is probably just as historically reliable as that of Bulla, to Dio, which allows us to recognise this form of accentuation as yet another of his favourite literary devices. In a variation of the ancient exemplary tradition, Dio formulates incontrovertibly correct propositions in order to take highly charged situations of conflict over legality and legitimacy to their point of climax.

It is very likely that the dictum about feeding slaves as it has come down to us in Bulla's message was one of Dio's literary creations. However, it cannot be ruled out that the malnourishment of slaves was becoming a pressing problem under the Severans. The jurist, Ulpian, who, as *assessor* to the praetorian prefect, Papinian, might well have been directly involved in hunting down Bulla's gang,[45] affirmed in his commentary on the *Tres libri iuris civilis* of Sabinus that persons who acquired the usufruct of slaves by right of inheritance had to employ these slaves in the capacities in which they had been trained, continuing: 'However, the adequate feeding and clothing of slaves should depend on their status and rank.'[46]

Dio nuances Bulla's piece of advice in adding, by way of explanation, that he had taken a considerable number of *Kaisareioi* into his band, of whom some had received too little reward for their former services, and others nothing at all. It has been repeatedly inferred from this that Bulla recruited large numbers of imperial slaves.[47] Related to this, it has been further proposed that at this time there occurred a particular deterioration in the living conditions of these people, taking them well beyond the point at which they were prepared to turn to mass flight. Such conclusions are, however, influenced by Bulla's explicit exhortation to owners to nourish their slaves (*doulous*). Though here Dio has slaves (*douloi*) specifically in mind, in his gloss he states that it was *Kaisereioi* who had joined Bulla. And *Kaisereioi* were usually not slaves, but imperial freedmen.[48] This can also be demonstrated very clearly from his general use of the word.[49] Further, Dio's explanation, with its reference to payment for services being low or withheld, is not appropriate to people of servile status. Given such congruence, it is natural to ask after

the circumstances which could, during the reign of Septimius Severus, have led to a drastic worsening of the particular situation of imperial freedmen, causing members of this otherwise privileged group to become members of a bandit gang. There is no easy way of answering this question directly. One can say that Severus is supposed to have closely monitored the conduct of imperial freedmen.[50] However, this can hardly be seen as enough to drive them into widespread revolt. The suspicion therefore arises that Dio, the better to carry his argument, worked up a somewhat minor detail he found concerning the real Bulla – that his band included some imperial freedmen. Dio did this, in the first instance not to discredit Bulla's movement, but rather to cast a poor light on the court, which conforms with the general line of criticism to be found in the whole episode.

However this may be, the social composition of Bulla's men is much less closely definable than is initially apparent. It is very unlikely that the imperial freedmen formed the only sizeable group among the supposed 600. In a broad range of people, brought together from different backgrounds, room should be allowed for groups other than starving slaves and dissident imperial freedmen, which directly or indirectly as a result of the civil wars following the death of Commodus found themselves in the position of outsiders. There were, for example, cashiered praetorian guardsmen,[51] followers of failed usurpers and victims of confiscations, all of whom have previously been proposed as being part of Bulla's movement.[52] Elsewhere, Dio himself deplored the fact that Septimius Severus had ruined the youth of Italy through his reformation of the Praetorian Guard, by which they were excluded from service in this elite unit, and which turned increasingly to brigandage and gladiatorial combat.[53]

Though a plausible case can be made for saying that slaves and freedmen played at least a secondary role in Bulla's organisation, it remains undeniable that the strong streak of social criticism – as expressed in his message to representatives of state authority (not to mention, as noted above, his gentlemanly conduct in the presence of his victims) – was not a characteristic of him as an authentic historical figure.[54] This conclusion returns us to Dio's literary predilections, and his stylisation of Bulla by virtue of his advocacy of the decent treatment of slaves, as a 'good' example – the mirror image of Severus – and of this emperor, by virtue of the social conditions for which he was responsible, as a 'bad' one.

At the start of the final section of his story of Bulla Felix,[55] Dio says that when Severus was apprised of Bulla's various activities he became very angry with himself for not yet having proved himself a match for a bandit in Italy while others were winning wars for him in Britain.[56] If, as Dio suggests, Severus really took an interest in the affair, this would indicate that he saw the destruction of Bulla as a personal challenge.[57] On the other hand, the fact that he is able to report the emperor's inner doubts again indicates the

extent to which the episode is a literary artefact. And yet there must be an element of authenticity here: other sources make much of Severus' active prosecution of bandits, though without giving any details.[58]

Severus' last resort was to send a tribune of his bodyguard, with a large force of troopers, to bring in Bulla alive, threatening him with dire punishment if he failed.[59] The tribune discovered that Bulla was conducting an affair with a married woman. Through her husband, he managed to persuade the woman to betray her lover, promising her immunity from prosecution. In this manner Bulla was taken by surprise and arrested. The manner of his arrest amounts to an admission that he could not be overcome by honourable means which, of course, significantly tarnished Severus' success. That the 'noble' bandit can only be caught by deception and betrayal is, as we have already seen in the case of Viriatus, one of the established *topoi* in the characterisation of Roman *latrones*.[60] Victories like this provided little to be relished.

Finally, Dio has Bulla come out with a last disarming remark. When Papinian, the praetorian prefect,[61] asked Bulla why he had become a bandit, he replied cryptically and deftly with a counter-question, 'Why are you Prefect?'[62] In the hour of his defeat, Bulla still appeared greater than his conqueror. He brought him to his own level, exposing his legitimacy – as, generally, prevailing conceptions of social superiority and inferiority – as arbitrary and discretionary.[63] In this way, Dio allowed Bulla to further devalue the emperor's victory over him. Dio's criticism of ruler and society which he, as a conservative senator, concealed within a tale of derring-do, is here aimed specifically at the loosening of the traditional social hierarchy and its result (perceived as negative) – that people from the lowest reaches of society might rise to the highest positions of authority. As G. Alföldy has already illustrated, it was intensely irritating to Dio that people of lower social status could be promoted to senior positions of influence and responsibility.[64]

The real Bulla Felix will of course have enjoyed a much less dramatic exit. Dio's taste for the disarming observation has been well demonstrated above – in the quick-witted response to Papinian's enquiry, in the message concerning the feeding of slaves, and in the parallels to the retort that Bato threw back at Tiberius. This does much to suggest that the point being made was one of his invention. A further instance will now show that Dio himself did not devise the drama of the situation, but took it over from an older example.

The next chapter will offer a detailed examination of the case of Clemens, the slave who, to avenge the murder of Agrippa Postumus, took on the role of his master. In anticipation of this, I will here draw attention to just one episode. This is the one where Clemens, following his capture, is brought before Tiberius. There follows an exchange of words between the emperor and the imposter. Tiberius asks how Clemens turned himself into Agrippa

Postumus. Clemens replies, 'As you turned yourself into a Caesar!' We owe our knowledge of this to Tacitus who, as we shall see, subtly shaped his account of the false Agrippa Postumus into a merciless critique of Tiberius.[65] However, this incident is also described, in a slightly abbreviated form, by Dio. His narrative, virtually identical to that of Tacitus,[66] contains the same striking exchange.[67] This, in its turn, is very similar to that between Papinian and Bulla Felix.[68]

The close correspondence between all three passages suggests that Dio took the motif of the quick-witted challenger from Tacitus (or, from a source that drew on Tacitus) and applied it to Bulla.[69] Indeed, Bulla's case is comparable to that of Clemens in many important respects. Both challengers exploited a situation in which they controlled the moral high ground to make their opponents, the emperors Tiberius and Septimius Severus, aware of their own failings and inadequacies. Both could, as charismatic leaders, count on the support of respectable followers. Both could be taken only by deceit. Both could re-cast their own defeats as triumphs over an emperor. And both are described in the texts with careful sympathy.[70]

But reference to a direct or indirect link between Tacitus and Dio is not all that can be made of the theme of the impudent bandit. We have to recognise that not even Tacitus, or any other historian of the early Principate, was the creator of this motif. In Cicero's *De Republica* there is a fragment recording a scene from an encounter of Alexander the Great with a pirate. It centres on the following exchange:

> Questioned by Alexander as to the ill deed by which it was that he, with his single ship, had been impelled to become the scourge of the seas, he replied, 'By the same one as impelled you to become the scourge of the whole world.'[71]

As the sea bandit saw it, Alexander was another just like himself. Apparently the same was true of the Scythian envoys, who reproached the Macedonian king saying: 'But you, who boast that you have come in pursuit of robbers, are in fact the robber of the whole world.'[72] It seems that Alexander had justified his campaign of conquest as the bringing to justice of brigands. The theme of Alexander as the bandit *par excellence* was finally adopted by Seneca: 'But he [Alexander] was from his youth a robber and a devastator of nations, as much a menace to his friends as to his enemies.'[73] And Alexander himself, as a departed spirit, debating with the dead Hannibal in the Underworld as to who was the true king, while claiming this distinction as his own disparaged his rival as a bandit.[74]

The feisty outlaw who exposed the ruler as one of his own is a recurrent theme, the role of which was to question prevailing concepts of legitimacy.[75] The episodes in which it was set were intended to alert readers to the circumstance that even the laws which made states states and rulers rulers

were not those of nature, but created by human beings, and therefore in the end rested on no absolute justification. It is unlikely, to say the least, that such conversations between bandits and rulers ever took place in reality.

Let us now turn again to Bulla's downfall. While Corocotta was granted the bounty that was on his own head and given his freedom by Augustus, Bulla was thrown to ravening beasts in the arena. Without its leader, Bulla's band scattered to the winds.[76] He alone gave the movement its direction and its strength.[77] There is no mention of further state action against it, suggesting that the rest probably escaped unpunished.[78] This, too, was no good advertisement for the imperial authority, which always set itself out to be the guarantor of security throughout the provinces.[79]

4 Cassius Dio on bandit history: contemporary criticism and perception of crisis

In saying what he does about bandits such as Claudius and Bulla Felix, Dio diverges considerably from one of the avowed principles of his narrative. Earlier in his work he had sworn deliberately to eschew detail and *minutiae*: the passage concerned has already been considered in the Introduction.[80]

'This avoidance of detail is a characteristic of his work throughout, not merely in the rhetorical passages.' Fergus Millar's remark,[81] though referring to another matter, may be extended to this same passage. However, in the context of a comprehensive account of Roman imperial history, if anything was trivial it had to be tales of bandits. What, therefore, made Dio move away from his original conception and, in the contemporary part of his work, introduce episodes which, viewed overall, are minor? One might respond that the passages in question appear unimportant only when taken at face value, without regard for what lies behind them. Though, indeed, their facts remain trivial, consideration of their deeper meaning reveals them to be a means for practising cryptic criticism of current conditions.

In the light of its close similarity to that of the false Agrippa Postumus, it may plausibly be claimed that Dio's account of Bulla Felix was, after the manner of Tacitus, conceived of as covert censure of the emperor. As has already been shown, in a number of different ways, the episode also displays parallels with other bandit stories within Dio's history aimed at increasing the attractiveness of his reporting of his own times. In this respect one might cite those of Isodorus leader of the Bukoloi, Maternus the deserter (of whom more below and concerning whom Dio may have been the inspiration for our only source, Herodian), and Claudius the bandit. As we have seen, the historical authenticity of all of these accounts is, at least with regard to detail, extremely questionable. At the core of what has come down to us we can probably assume the existence of each of these individuals as bandits capable of sensational deeds. Dio will have elaborated on oral tradition, through which dry facts will already have been dressed up as legend. However,

we can see his own work in the scenes of breathtaking impudence in the presence of the emperor or representatives of the state. Their function is to draw attention to the superficiality and artificiality of state power and social constraints. All that is required for an 'outsider' to become an 'insider' is the right dress and the appropriate demeanour. The security of state and society, for which the ruler and his administration claim to be the guarantors, can never be relied upon; and at times the ruler himself is no better than the bandit.

Apart from such basic doubts about the state, criticism of the emperor has been specifically identified as an essential characteristic of these robber tales. To take just one example, Tacitus had already employed the model for that of Bulla Felix, for his narrative concerning the false Agrippa Postumus, as a means of denouncing the unpopular emperor Tiberius. What was Dio's attitude to Septimius Severus? Or, put another way, did he direct his criticism solely at this emperor? A cursory glance at his account of Septimius' reign raises contradictions. Instances of profound disapproval go hand in hand with those of grudging appreciation.[82] F. Millar describes Dio's view of Severus as not basically hostile – determined by grave respect rather than brimming with any warm sympathy.[83] A contributory factor in this respect will have been the fact that Dio, as a contemporary, formulated his judgement on the first Severan not in isolation but against the background of his memories of the reign of Commodus.[84] It is under these conditions that Dio, as a senator and historian, directed his criticism against Severus – as expressed in the story of Bulla Felix. This criticism was aimed at the reigning emperor, but was not intended for him alone. Its target was rather the current Principate as a whole, from the time of Marcus Aurelius. Dio interpreted the transmission of the imperial office from Marcus Aurelius to Commodus as a major watershed, characterising the years that had gone before, in a term that has become famous, as a 'golden age' and those that came after as one of 'iron and rust'.[85]

But criticism of the rulers of his day was not the only thing that Dio had in mind with his bandit tales. In a discussion from which I have already quoted, F. Millar says of apparently trivial occurrences to be found in Dio's writing: 'The design is to create a certain emotional climate, not to reproduce particular facts.'[86] By means of stories about bandits that, at first glance, might appear to be unimportant, Dio wanted, at the same time as subjecting the emperor to subliminal censure, to communicate a basic sense of unease. He clearly saw the frequent occurrence of bandits in his day as a symptom of malaise. The highly stylised tales that he concocted from historical incidents therefore appear in his writing as his perception of crisis.

To comprehend this perception through a particularly suggestive example, we should take a look at what happened during the rising of the Bukoloi in AD 172, already touched on several times.[87] These notorious bandit herdsmen

dwelt in part of the Nile delta not far from Alexandria.[88] In the reign of Marcus Aurelius they attempted rebellion. According to Dio, they plunged the whole of Egypt into disorder. They managed to defeat Roman troops in a pitched battle; and if Avidius Cassius had not marched against them from Syria with reinforcements,[89] they would have come close to taking Alexandria. They were defeated only by means of a tactical manoeuvre through which Avidius Cassius forced them to break their tight formations.

We know nothing of the precise causes of the uprising. All that can be got from Dio's account is that the rebels attempted to free some of their fellows who had been arrested by Roman troops. The catalyst of rebellion seems therefore to have been the detention of some Bukoloi. Leading the act of liberation and the wider movement was a priest, Isodorus, braver by far than all his comrades-in-arms. How he operated during the initial incident has already been mentioned: to gain unchallenged access to the Roman military authorities a chosen band of Bukoloi dressed up as the wives of the detainees. In this guise, they offered the Roman centurion apparently in charge of the prisoners a bribe to release their husbands.

At this point an appalling incident occurred. The Bukoloi seized the officer, made him watch while they killed the soldier on duty with him, laid out his entrails (so Dio continues), swore a solemn oath together over them, and then gulped them down. This brutish ritualistic banquet occurred under the extreme pressure of events from which there was no retreat.[90] As a sort of rite of initiation of the resistance group, the meal was intended to make sure that those involved stayed together – that no one could back out.[91] The same purpose had been served by an (to be sure, entirely symbolic) act of sacrifice that had taken place at the commencement of a famous Roman conspiracy. Catiline is supposed to have got all those in the innermost circle of his undertaking to share a drink he had mixed from human blood and wine.[92] Only then, and after everyone present had uttered a curse against himself, did he reveal his plans. As early as Sallust, there was speculation that Catiline's 'human sacrifice' may have been a later invention by the supporters of Cicero, using shocking revelations to increase public disgust. In this way too they sought to justify the constitutionally questionable order of execution of 5 December 63 BC as a legitimate emergency measure.[93] What the Bukoloi did could have been fabricated for similar reasons. At any rate, it brought home to Roman readers the immense cultural gulf between themselves, partners in the world of Rome, and the Bukoloi, the quintessential uncivilised barbarians.[94] That such barbarians were to be found, not outside, but well within the Roman Empire might, and probably did, also excite them to feelings of extreme indignation and stifle any thoughts of compassion or understanding.[95]

In the Bukoloi incident, there is criticism of military incompetence: we see a Roman centurion allowing himself to be duped by his own naivety, and the movement as a whole proving very difficult to suppress. But all this

pales next to a barbaric affair of human sacrifice and cannibalism that makes the reader's flesh crawl. The same literary device was exploited by Achilles Tatius, a contemporary of Dio and author of the novel *Leucippe and Cleitophon*.[96] The older view was that the case of ritual murder supposedly carried out by Bukoloi, as reported by Dio, may have inspired Tatius and other writers of entertaining literature down to Heliodorus to work up the theme in their stories.[97] However, an attractive proposal by J. Winkler – albeit in the last resort unprovable – suggests the opposite: it was probably the cannibalistic episodes of the novels (set in rural backgrounds) that moved Dio to embellish his account of the uprising in the Nile delta.[98] In Winkler's view, the literary motif, serving in the first instance to give some colour to the dry historical narrative, was deployed further to discredit the Bukoloi, who anyway counted little with Dio and his readers, by attributing to them the most monstrous of crimes. Dio's account could rely on a fair credence since there was strong public belief in cannibalism among the Bukoloi.[99]

This is not the place to determine whether such an act was dreamed up by a novelist or an historian. The use of the motif seems to be more in the style of Herodian, well known for his ornate descriptions,[100] than of the comparatively serious Dio. This makes all the more remarkable the strong sense of atmosphere with which Dio infuses the books dealing with his own day in his description of the Bukoloi uprising and in his other robber stories. In this aspect of his historiography, already characterised as his perception of crisis, he reveals himself close to the work of Herodian and the novels of his day. At the same time, this shows the taste of the late-second/early-third-century reader, who clearly liked to see literary variations on such themes. That tales of impudent bandits, such as the Bukoloi, Maternus, Claudius and Bulla Felix, pleased contemporary taste is shown by the novels of Achilles Tatius and Lollianus, which, surely hardly accidentally, abound in brigands. This choice of theme – a particular inclination towards accounts of disturbing (because exotic, horrific or scandalous) happenings – linked the writers of the period, be they historians or novelists, with each other and with their readers. If we may interpret this theme as characteristic of a literary taste formed by its age and circumstances, through it we can gain an inkling of the way of thinking of at least the educated class, and perhaps even of others in society. In comparison with those of the reigns of the preceding adoptive emperors, living conditions under Commodus and the Severans were subject to many new and profound changes. It was the age of the orientalisation of Roman spirituality, of the turning towards the mysterious and the irrational, of the decadence of the imperial office, of the fragility and impotence of the political elite, of economic distress, of increasing social tension, and of the beginning of the military threat from Rome's neighbours. If Cassius Dio or Herodian, whose account of the deserter Maternus will be dealt with next, provoke us to extreme disbelief with their tales of bandits, this is only a reflection of the Roman mind-set in an age of incipient crisis.

5 Maternus and the *Bellum Desertorum*

Among the vicissitudes of Commodus' reign the author of the *Historia Augusta* (*HA*) records a *bellum desertorum,* a 'deserters' war',[101] but fails to give more than this bare mention. Herodian, on the other hand, pays great attention to an uprising under Commodus, nowadays fittingly referred to – using the *HA*'s term – as the *Bellum Desertorum*.[102] Its ringleader was a deserter called Maternus, who had assembled a band of deserters and other miscreants. With this he first terrorised the western provinces and then finally devised a plot to assassinate Commodus, which was thwarted at the last minute. All this represents the barest summary of the facts presented by Herodian, in a narrative packed with dramatic detail. Dio must also have dealt with the incident, but this part of his text has failed to come down to us. However, since his 'History' served as Herodian's major source,[103] we may assume that the latter's treatment of the revolt of Maternus derives from it.

Scholars have, for various reasons, given the uprising great attention. For many decades it was regarded as the forerunner of the Bagaudic movement in late antique Gaul and Spain.[104] Recently, this interpretation has been revitalised by reference to archaeological discoveries, both old and (relatively) new.[105] G. Alföldy, following E. Hohl, has provided a penetrating analysis of the Herodian account.[106] Alföldy's findings are influenced by a basic scepticism concerning Herodian's reliability, for which he has also made a case elsewhere.[107] He concludes, pessimistically: 'Herodian's only authentically important contribution to the War of the Deserters is that he gives the name of its leader, Maternus.'[108] In studies of Roman robbers and bandits Maternus figures prominently thanks simply to the detailed report we have of him. Here, as a result of his attempt at usurpation, he is usually seen as an imperial challenger[109] and like Bulla Felix, classed – incorrectly – as a 'noble' bandit.[110]

Here Maternus is also categorised as a usurper, even though we have no idea whether his bid to overthrow Commodus and make himself emperor is an authentic historical phenomenon or just something dreamt up by Herodian or his source. What matters, as in the case of Bulla Felix, is not the historical personality but the stylised figure. In this sense, Maternus was indeed an imperial challenger. However, unlike Bulla he will not turn out to be a 'noble' bandit – to be set against the emperor as the embodiment of princely virtues. He represents the common bandit, driven solely by lower, selfish passions, such as the lust for booty and power.

The dating of the events which involved Maternus depends essentially on whether one believes that in his revolt we are dealing with a movement that developed over a number of years and spread over a wide area, or with a single eruption that was limited in extent and time. In the latter case, the incident is to be dated to 185/186. The chronological indicators derive first from Herodian, whose report on Maternus immediately follows that on the

fall of the praetorian prefect, Perennis, in 185,[111] and second, from an inscription on a writing tablet from Rottweil, which appears to mention the suppression of the revolt.[112] Its date, 12 August 186, therefore gives the *terminus ante quem* for this event.[113] As far as the alternative is concerned, 185/186 would be only the climax of a phenomenon that was long in its evolution.

Herodian's account, which reads something like a novel, consists of two sections, one concerning the Deserters' War proper and the other dealing with the planned attack on Commodus.[114] At the start of the first passage, Herodian introduces Maternus and describes the beginnings of the revolt he inspired. We learn that Maternus was a daring and spirited soldier who deserted and persuaded several of his comrades to go with him. Both desertion and the taking on of the leadership of a movement of deserters certainly required some courage. We do not, of course, have any idea of what led Maternus to these decisions. It could be that he was the common felon that the sources make him out to be. When Herodian makes a point of stressing first of all that Maternus had already, as a soldier, distinguished himself by his audacious courage,[115] he gives the impression that what he did was motivated by nothing more than a yen for adventure, combined with criminal energy. Such a starting point is entirely consistent with his bid to assassinate Commodus. On the other hand, as this part of the story could be fictional so Herodian's emphasis on Maternus' extraordinary daring might well be something taken from the repertoire of the bandit theme.

There is no light shed upon the causes and motives of the uprising. F. Grosso has proposed that it represented a reaction to the dreadful failure of judgement that was Marcus Aurelius' recruiting policy.[116] According to the *Historia Augusta*,[117] this emperor had accepted slaves, gladiators and *latrones* into the army in order to plug gaps in its ranks caused by plague (which is how we should always understand the epidemic referred to as *pestilentia*).[118] Further, the slave contingents were termed *voluntarii*, after the example of the *Volones* of the Second Punic War; the gladiators were designated *obsequentes*. In the considered judgement of W. Welwei, these references are hardly likely to be authentic. A well-founded decision either way seems impossible, even though the information contained in the 'Life' of Marcus comes from Marius Maximus, considered a reliable source.[119] In any case, there remains the question as to what sort of 'bandits' might be meant by *latrones Dalmatiae atque Dardaniae*, how many bands they comprised and among which units they and the slaves and gladiators could have been distributed. As far as we can see from what we know about army recruitment in this critical period, the forces were less affected by the plague than one might have expected from such a serious epidemic.[120] This should warn us from the start against overestimating the number of slaves, gladiators and *latrones* enlisted. For the fifteen-year gap between the likely period of their recruitment in 169 or 170[121] and the wave of desertions under Maternus around 185 we hear of no particular complaints about them. It is very

difficult to accept that such slaves, gladiators and 'bandits', in the second half of their period of enlistment and with not too long to go before their discharge, were a cause of trouble in the army – that 'all that they waited for was to escape the constraints of army-service'.[122] This view depends on little more than the ominous combination of three social groupings each bearing an emotive label. It would certainly be mistaken to see in them the core of Maternus' movement.

Maternus might well have unleashed a wave of desertion, but this need not have been his intention. Given the threat of draconian penalties, even if he had advertised his activities it is unreasonable to suppose troops deserting *en masse* on trivial grounds or purely out of greed for booty. The relaxation in discipline in Commodus' army[123] may well have been an accompanying factor of the rebellion, but scarcely its major cause. The Marcommanic wars of the preceding reign had put extraordinary pressure on the Roman forces and on the civil populations of the provinces involved, especially in the region of the upper Rhine and upper Danube. The 'Life' of Commodus mentions internal unrest in Dacia, Pannonia and Britain.[124] Archaeological finds (about which more below) suggest destruction in various parts of Gaul. On the basis of these indications, few as they are, historians have already felt able to speculate that Maternus' rebellion took place against a background of social distress in the western provinces.[125]

With his band of deserters Maternus undertook bandit raids, increased his wealth and strength in this way, and proceeded to attack villages, farmsteads and, later, even entire towns.[126] This tale of small beginnings leading to wider and more daring operations shows that Herodian's narrative follows the pattern of many stereotyped reports of uprisings established since the Republic. The start of the first Sicilian slave war under Eunous and Athenion, that of Spartacus' rebellion,[127] and the rise of John of Gischala's Zealot band[128] are all described in very similar terms. Through their employment of this routine device, the narratives concerned reveal that what they say is no more than a conventional repetition of a literary stock theme, meant to conceal an author's ignorance or the absence of spectacular happenings.

As time went by, continues Herodian, Maternus attracted a considerable number of recruits by promising them rich pickings. The focus on booty as the sole (specified) motive for joining Maternus' band from the start throws into doubt whether those involved in the revolt – or, at least, a few of them – had any higher purposes. At the same time, the same is indicated by the claim that they were all common criminals.[129] Blanket accusations of lust for booty and the enrolment of felons are well known as recurring motifs in Tacitus' accounts of 'bandits'. Such Tacitean clichés link Maternus closely to Tacfarinas, leader of resistance in North Africa under Tiberius,[130] and Gannascus the pirate, a deserter in the reign of Claudius.[131] In addition, all three represent the typical three-stage progression, from base motives, of soldier-to deserter-to bandit. Gannascus of the Canninefates had served the

Empire as an auxiliary soldier in the military region of Germania Inferior. Then he deserted and, shortly afterwards, as commander of a Chaucian flotilla, undertook pirate attacks along the Gallic coast. If we are to believe Tacitus, he had no political purpose. He simply exploited his knowledge of the wealth and unwarlike disposition of the Gauls to satisfy his greed for plunder at little danger to himself and with an eye to rich pickings.[132] The fact that Corbulo could overcome him only by trickery moved Tacitus to comment that such underhandedness was nothing to be ashamed of when directed against a renegade and a deserter.[133] Another example is provided by a certain Troxoboris who, during the reign of Nero, led an uprising among the Cietae and, from his base in the mountains of Rough Cilicia, launched plundering raids against the coast and the cities to be found there.[134] His prey was farmers and town-dwellers, though on many occasions his men also went for traders and seamen. Troxoboris and his followers also appear to have pursued no political aims, instead robbing indiscriminately to line their own pockets. In this, Tacitus' report resembles that of Gannascus, whom he also described as a common bandit. And, like Gannascus, Troxoboris belongs to that class of *latrones* who could be defeated only by underhand means.[135]

Tacitus' use of stereotyped elements in the derogatory reporting of bandit gangs is paralleled in Herodian, as may be seen in a particular detail. He continues that Maternus threw open the prisons in the towns which he seized and freed their inmates with no regard to the crimes of which they were accused. As a result of this generous treatment, those Maternus let out scrambled to join the ranks of his followers.[136] R. van Dam has supposed that Maternus liberated prisoners in order to remedy the injustice they had suffered: 'in this way Maternus "righted wrongs" by dispensing his own form of justice.'[137] The righting of wrongs is an attribute of Hobsbawm's 'noble bandit',[138] the criteria for which Maternus – or, at least, Maternus as we have him – does not fit. Quite apart from the fact that the historicity of his statement has to be doubted, Herodian makes much of the opening of the gaols as an act of subversion, and so reinforces the picture of Maternus as a common criminal.

Related to such revolutionary intrigues, it has even been surmised that Maternus probably also incited slaves to flee.[139] Without doubt, such a suspicion owes its inspiration to other figures from Roman history. There is, for example, Sextus Pompey who, according to Florus, freed slaves from their prisons and gave them weapons,[140] and T. Curtisius, an Italian agitator under Tiberius.[141] The latter, a former praetorian guardsman, roused unruly rural slaves dwelling in the remote woodlands around Brundisium and its neighbourhood to fight for their liberty.[142] What is most unusual about this affair is Curtisius himself – a Roman citizen who summoned slaves to a struggle for freedom and put himself forward as the instigator and leader of the planned rebellion. What drove him and what his aims were remain

unclear. Some speculation is possible from the information that he once belonged to the Praetorian Guard. Given his known criminal career, this may well be taken as an indication that he had received a dishonourable discharge. A soldier who had crossed the military authorities and who, having been cashiered, was living a hand to mouth existence, was certainly sufficiently motivated to undertake acts of revenge. At any rate, his public summoning of slaves to rise up for freedom betokens an open protest against the state and society on the grounds of perceived injustice. Maternus' desertion may have been similarly motivated, though there is nowhere any sign that he made a point of calling slaves to freedom. There can be no doubt that, apart from deserters, his movement would also have been joined by runaway slaves, criminals and others who found themselves on the margin of society. However, whether he went out of his way to recruit such people remains a mystery. Again, Herodian's tale of the storming of the prisons was probably an attempt to reinforce the impression that Maternus was driven by base motives.

Though Herodian may very well have exaggerated what he wrote about it, there can be no doubt that the movement which Maternus stirred up grew to a considerable size. The information that officials soon no longer treated it as brigandage, but reclassified Maternus and his men as enemies of the state may also have a basis in fact.[143] Behind this distinction lay the known legal differentiation between *hostes* and *latrones*, which was determined not only by the status of the enemy concerned under international law but also on occasion by his military strength.[144] Herodian's reference to the magnitude of the forces at Maternus' disposal is confirmed by an inscription set up by the Italian district of Urvinum Mataurense in honour of its patron, C. Vesnius Vindex, military tribune of *Legio VIII Augusta*, during whose service, after it had been relieved from 'the recent siege', the legion was given the titles 'faithful, constant, the emperor Commodus' own'.[145] A. Alföldy has convincingly put together the evidence to suggest that it was Maternus and his deserters who blockaded *VIII Augusta* in its main base at Strasbourg.[146] This not only confirms that Maternus had a significant number of men at his disposal, but also provides a geographical reference, localising one centre of unrest in Upper Germany.

6 Maternus' revolt: a forerunner of the Bagaudae?

Herodian continues that Maternus' movement finally overran large parts of Gaul and Spain.[147] This has provoked an influential proposal, since 1954 closely associated with the name of E.A. Thompson though its basic thinking originates from Soviet historians.[148] This says that from the late second century economic and social need produced a constantly expanding potential for protest among the rural population of the Roman West. Maternus' revolt,

as the first targeted expression of this potential, should therefore be seen as the forerunner of the Bagaudic movement of the late third century, and therefore linked to it directly in its ideology.[149]

I have already argued that living conditions in the Roman West had undergone constant deterioration as a result of insecurity on the frontiers, political instability since Commodus, and the social and economic burdens resulting from such circumstances, and that Maternus' rebellion is best understood against this background. The starting point of those who would link Maternus with the Bagaudae is therefore perfectly justified. However, what is open to doubt is whether the presumed potential for protest was already so strong by the time of Commodus that it could produce a movement large and cohesive enough to span several provinces. Also questionable is whether a direct connection can be established between this movement and the Bagaudic revolt at the end of the third century.

The social composition of each movement presents differences which make a link between the two unlikely. Maternus depended for the most part not, in contrast with the later Bagaudic movement, on small farmers[150] but on army deserters, who may well have been joined by a colourful mix of impoverished peasants, runaway slaves and other social dropouts. The original motives for a deserters' movement must be sought in a directly military context. Latecomers would, of course, have had other reasons. J.F. Drinkwater has pointed out that it was only in the later third century that rural social conditions in Gaul deteriorated to such a degree that they carried wide sections of society over the threshold of rebellion, and that the cause of such conditions was not simply, or not even, economic but rather a crisis in Gallic ties of patronage.[151] In Drinkwater's view, Maternus (the historical Maternus, not he of Herodian's narrative) was 'simply a very successful brigand, exactly like his near contemporary in Italy, Bulla'.[152]

Crucial for deciding on the plausibility of a link between Maternus and the Bagaudae is the question as to whether Maternus' movement really, as Herodian claims, covered wide parts of Gaul, the Germanies and Spain. Scholars, deeply sceptical about what Herodian says, have long regarded the extension of the revolt as controversial; and indeed, Herodian is not above having inordinately exaggerated its dimensions.[153] In the end, he had to make out Maternus to be a serious challenger to Commodus. G. Alföldy has, on the basis of epigraphical evidence, located the centre of the uprising in Upper Germany and the dependent territory of the Agri Decumates. Reference has already been made to the inscription honouring C. Vesnius Vindex who, as tribune of *Legio VIII*, survived a 'recent siege'. Added to this can be the wax writing tablet from Rottweil, also already touched upon in relationship with Maternus' rebellion.[154] This mentions sentences under martial law (of deserters?) by M. Iuventius Caesianus, legate of *Legio VIII*. Beyond the region of the upper Rhine there was, at least according to

Alföldy, no unrest connected with Maternus.[155] A revolt confined to Upper Germany can scarcely be seen as the expression of a protest movement across Gaul and even beyond.

Meanwhile, archaeological finds have continued to stimulate discussion. As early as 1956, S. Szádeczky-Kardoss, on the basis of coin hoards, pointed to destruction at Juliobona, at the mouth of the Seine, previously dated to the reign of Marcus Aurelius, as an indication of the *Bellum Desertorum*.[156] In 1982, G. Mangard published his reconstruction of the building inscription of a temple in Bois l'Abbé (Eu, Haute-Normandie), probably constructed during the Severan period. The dedicator, L. Cerialius Rectus, cites in the enumeration of his municipal positions that of 'officer in charge of controlling banditry' (*pra{efectus latro}cinio {arcendo}*).[157] Contrary to what Mangard proposes, this post has nothing in particular to do with Maternus. It describes those local Gallic officials charged as a matter of course to act against *latrones*. This has already been seen in Chapter 1.[158] Mangard further points to a remarkable concentration of regional coin hoards dating to late in Commodus' reign.[159] Independent of this, on the basis of an accumulation of archaeological evidence for serious damage in the territory of the Pictones (south of the Loire mouth, modern Poitou), G. Ch. Picard was able to identify a destruction horizon stratigraphically dated to the period spanning Marcus Aurelius' Marcommanic wars and the reign of Commodus.[160] Among other sites, the *civitas*-capital, Limonum (Poitiers), had suffered harm so severe as to be explicable only as the result of war. North of the mouth of the Loire, and so north of Pictonian territory, comes Aremorica, which then runs along the Channel coast to the mouth of the Seine, and includes Juliobona. Into association with the destruction sites among the Pictones G. Ch. Picard brings possible contemporary military activity action in Aremorica, as evidenced by the funerary inscription of a certain L. Artorius Castus.[161] An officer who had proved himself in a number of postings, in his personal account of his own achievements he made much of the fact that he had led two British legions together with auxiliaries 'against the Aremoricans'.[162] On the basis of chronological indicators in the history of the Roman army in Britain, Castus' command is dated after 181.

Given the close chronological and geographical proximity of the unrest in Aremorica and Maternus' rebellion, A.R. Birley had, indeed, before Picard, already suggested a connection between the two.[163] Picard adopts this approach, and links all locations designated as having thrown up evidence typical of military activity – such as destruction, coin hoards and inscriptions – to form a theatre of war in which a single integrated conflict might have taken place: the revolt of Maternus.

In the current state of our knowledge we can, therefore, make out a number of different centres of military unrest in Gaul and the Germanies of the early 180s – in Upper Germany, and north-western and western Gaul. If all the evidence is connected to Maternus, the geographical and chronological

extent of the *Bellum Desertorum* emerges as very wide indeed. Herodian's reference, apropos the wide distribution of the trouble spots, to Gaul and Spain, seems more trustworthy; and the idea of some sort of link between Maternus and the Bagaudae receives significant confirmation since the evidence for destruction in north-west Gaul, most recently pointed up by Picard, fits in well with the notion of this area's being the heart of the Bagaudic movement.

Now this series of incidents, strung together to form a chain of evidence, may well indicate that a number of regions in the general area of Gaul and the Germanies suffered warlike incidents under Commodus, probably the result of military threat, political instability and social crisis (whether real or perceived). Maternus' rebellion may, without doubt, be seen as manifestation of this last. However, there is no proof that all these trouble-spots were linked to the revolt; and, what is more, contemporary symptoms of crisis are certainly to be found even further afield in Gaul. To name just one example: around the time that Commodus succeeded Marcus Aurelius, Trier received its first city wall, still evidenced by its mighty North Gate, the 'Porta Nigra'.[164] Since Trier had been granted colonial status under Augustus, the construction of this wall can hardly be explained symbolically – as marking the rank of *colonia*. And even if the wall was built close to the time of Maternus' rising, without further evidence no one would dream of supposing that it was erected just because of it. It is more likely that 'general unrest on the frontiers of the Rhine and Danube made the Treveri think it advisable to adorn their tribal capital with a circuit-wall'.[165] Contributory to this 'general unrest' were, no doubt, numerous smaller incidents on the lines of that of Maternus. Together with the new Germanic threat, they increased the severity of the coming overall 'Crisis' of the third century, of which they may be said to have been the harbingers. Thus it seems unlikely, and in any case unproven, that Maternus' revolt grew to such a size that it extended from the upper Rhine to the far north-west of Gaul.

The only link between Maternus and the Bagaudae is the three inscriptions of C. Iulius Septimius Castinus, each alike almost to the letter.[166] As commander of a detached force of men seconded from the four German legions, under the Severi, Castinus had directed operations 'against renegades and rebels' (*adversus defectores et rebelles*). Given the hundred years or so that separated Maternus and the Bagaudae, the unique evidence of this inscription should, from the start, be called upon as a link between the two only with great circumspection. That the renegades and rebels mentioned were insurgent provincials, deserters, runaway slaves and other marginal figures, who still consciously saw themselves as continuing a movement put down in 186, is not particularly plausible and anyway lacking in hard evidence. The suppression of a provincial uprising involving units from four legions would probably have found greater mention in the sources. On the other hand, the explanation that Castinus and his force proceeded

against supporters of Clodius Albinus is convincing in terms of context and chronology.[167]

Since it cannot be proved that Maternus was the instigator of all unrest indicated in Gaul and the Germanies in his period, and since Castinus' inscriptions are questionable as linking elements, it would seem best to steer clear of any assumption of a basic connection between Maternus and the Bagaudae.

7 Maternus as a supposed usurper

In the second part of his report on the activities of the deserters, Herodian first describes Maternus' alleged intention of overthrowing Commodus and claiming the imperial throne for himself.[168] The planning and failure of this attempt at usurpation form the conclusion of the account.[169] The initial uprising was crushed only after the involvement of the respective provincial governors, ordered by Commodus to take active countermeasures after complaining about their negligence in combating the rebellion. That Pescennius Niger was put in charge of putting down the revolt should be seen as an invention of the author of the *Historia Augusta*, to support the credibility of his claim of friendship between Niger and Septimius Severus, at that time governor of Gallia Lugdunensis.[170] If the wax writing-tablet from Rottweil refers to the *Bellum Desertorum*, it follows that in the Agri Decumates the revolt was quelled at the latest by August 186.[171] As already mentioned, this document refers to sentences passed by Iuventius Caesianus, legate of *Legio VIII*. Maternus could have perished under such circumstances.

But Herodian takes the story further. In a realistic assessment of his position Maternus realised that he could not risk open confrontation with the legions. On the other hand, his success had strengthened his resolve to accomplish some great deed – or perish gloriously. So he ordered his men to infiltrate Italy in small groups and by separate ways. Rome was the agreed rendezvous-point. An attempt on Commodus' life was to be made on the festival of the Magna Mater, under cover of the fancy dress usual on this day. Maternus and his men had it in mind to get close to Commodus dressed as praetorian guardsmen, and for Maternus to kill the emperor when a favourable opportunity offered itself. But the plan was betrayed by some of his own followers. Maternus was arrested and put to death and his accomplices received the punishment they deserved. Herodian's account of the end of Maternus once more confirms the rule that bandit challengers could be overcome only through treachery. The reason for this betrayal is also significant. According to Herodian, it was envy that drove Maternus' comrades to take this step, because they saw 'that they would now have to suffer him as a lord and emperor rather than as a bandit'.[172] In reading Herodian's phrase as 'because his men preferred a legitimate emperor to a robber chief', Brent Shaw not only mistranslates but also misinterprets his meaning.[173] Herodian

explicitly adduces *phthonos* ('ill-will', 'envy', 'jealousy') as the motive for the betrayal. In other words, the bandits begrudged their leader imperial status, allowing tradition to attribute to this last act only a base, not a noble, motive.

Though it is possible to speculate about the historical kernel of Maternus' rebellion in the first stage of its development, the *communis opinio* is that the second, more extensive, part of Herodian's account is no more than fictional.[174] Such an assessment may itself, however, be based on no more – or no less – than modern scholarship's basic distrust of the credibility of Herodian. We will now see that though Maternus' attempted *coup* may have been invented, the invention may not have been Herodian's.

8 Maternus and Bulla Felix: the 'common' and the 'noble' bandit

We return to the observation that Herodian's main source for his account of Maternus was in all likelihood Cassius Dio's 'History'. However, it seems at least possible that the basics of the story and the characterisation of Maternus might stem from neither Dio nor Herodian. Since what Dio said about Maternus has been lost the former idea cannot be tested directly. Moreover, readers of both authors may consider it absurd to ascribe to Dio literary traits which experts see as 'Herodianic'. Deeply, perhaps too deeply, anchored in scholarship is the picture of a pair of mighty opposites, made up of 'the high-ranking senator, Cassius Dio Cocceianus' on the one side, and on the other, 'the subordinate writer, Herodian'.[175] In his closing assessment of the Maternus story, G. Alföldy draws attention to a string of examples of 'truly Herodianic' narrative technique.[176] His setting of the rebellion within Herodian's overall conception of a continuous series of attempts on Commodus' life is highly convincing. However, some details in the story of Maternus may have been interpreted erroneously as deriving from Herodian, details which Herodian very probably did not invent himself, but drew from his source – Dio.

Our analysis of the reports concerning Bulla Felix and related bandits has already shown that Dio the senator and historian was quite prepared fancifully to deck out episodes when he wished to communicate a particular 'emotional climate' (Millar). We saw clearly that such episodes are expressions of Dio's perception of trouble that would lead to the third-century 'Crisis'. However, the idea that it was Cassius Dio who originally sketched out the picture of Maternus that has come down to us through Herodian can be justified only if elements of Dio's narrative technique can be identified in Herodian.

Let us consider three examples. When Commodus discovered that Maternus was still undefeated, he reacted angrily and remonstrated furiously with the governors of the affected provinces. Commodus ordered them to pull themselves together and take active steps against the bandits.[177] When

Septimius Severus learned that Bulla Felix was still undefeated, he too reacted angrily. He sent out an officer of his guard with a force of cavalry to arrest the robber. They were also threatened with punishment if they failed to bag Maternus.[178] Both passages follow the same pattern and both have the same function: to show that the situation had become intolerable, that it had to be resolved without delay, and that it was now being given top priority. In both cases the change is brought about by imperial fury related to emperors' feelings of impotence given the blatant incompetence of their policing authorities. In particular, the entrusting of these authorities with the running down and safe custody of bandits is a blunder of which Dio makes various criticisms. The Bukoloi were able to free their comrades from prison because Roman troops were taken by surprise. Corocotta and Claudius could not at first be captured. The Roman army hunted Bulla Felix and Maternus for a long time in vain.

We come to our second example. Both Bulla Felix and Maternus perished through treachery. Bulla was betrayed by his mistress, Maternus by a number of his own men. In both cases those responsible belonged to the innermost circle of the bandits' acquaintances. That the bandit challenger is invincible other than by treachery is, of course, a literary convention. In this respect, Viriatus may be seen as the prototype.[179] However, within the repertoire of the challenger model there are alternatives to fall through betrayal. Consider the case of Tacfarinas, who, faced by inevitable defeat, threw himself into the hail of Roman weaponry and in this way escaped capture.[180] In Dio, however, all the challengers are invincible. Corocotta gave himself up and was richly rewarded for his daring with immunity from prosecution and payment of the price which had been put on his head. Claudius chaffed Septimius Severus then vanished for ever.[181] Bulla and Maternus remained unvanquished until they were betrayed.

We reach our third and final example. Maternus plans the end of Commodus, a scenario judged by scholars as a fiction 'particularly typical of Herodian'.[182] For this, Maternus chooses a bizarre backdrop – the festival of Hilaria, celebrated on 25 March and the high point of which was a fancy dress parade.[183] Maternus appears as a praetorian guardsman in order to get near to Commodus. Fancy dress is not just a characteristic of the Hilaria but, as we have already experienced on several occasions, it is one of Dio's favourite motifs in his accounts of bandits. We saw it first in the revolt of the Bukoloi, who freed their comrades dressed as women, and we saw it again in the story of the bandit Claudius, who made a fool of Septimius Severus while dressed as a Roman soldier. Bulla Felix impersonated others on no fewer than three occasions: first as a Roman magistrate, when he released his own men from capture; next as one of his own men, making out that he wanted to betray himself; and finally as a senior official, who gave a hoodwinked centurion the message about feeding the slaves. Finally, there was Maternus, who disguised himself to kill Commodus.

These correspondences are important indicators. They do not prove but they harden suspicion that in many particulars what Herodian says about Maternus follows his source, the text of Cassius Dio. It is striking that all the points of contact between Herodian and Dio fall in the second part of the description, i.e., in the part dealing with the failed attack on Commodus. It would, of course, be going too far to speculate that the abortive attempt at usurpation should be seen as an authentic historical phenomenon, not an historian's invention. However, it has to be said that modern historians would be more prepared to trust a report of an attempted *coup* by Maternus if this came from Cassius Dio rather than from Herodian. In any case, it has to be conceded that the narratives about Maternus and Bulla are very closely related in terms of their conception and in the manner of their expression. Thus it has at least again been made clear that Cassius Dio was perfectly able to tell, in Alföldy's phrase, a 'truly Herodianic' story. What distinguishes him from Herodian is that he does this deliberately and to a purpose.

9 Conclusion

As we have seen, the *fil rouge* in the story of the bandit Bulla, in all its detail, is the constant putting down of state authority by the outlaw.[184] It is always the emperor, as the supreme representative of this authority, whose legitimacy is being called into doubt by the lawbreaker, who both challenges him and represents his mirror image. Armed with deep understanding and a high degree of moral legitimisation, Bulla himself incorporates the qualities of the ideal ruler: just, generous, cultivated, at one with his 'subjects' and unconquerable by rivals and enemies. His band is projected as the antithesis of the realities of Roman society. Its members are not squeezed for everything they have; on the contrary, they are properly paid for what they do, the slaves among them treated like human beings and adequately fed.

Directly or indirectly, Cassius Dio conceives the story of Bulla Felix along lines laid down by Tacitus in his narrative concerning the appearance of the false Agrippa Postumus. Tacitus made the latter, a political adventurer with lofty ambitions, an instrument of hidden, but unforgiving, criticism of Tiberius. Dio copied this approach, down to specific details, in his treatment of Bulla, with the same aim of criticising the imperial office. To this end, he seized upon an oral tradition which contained a kernel of truth and filled it out with carefully considered particulars. By comparing them with his habits and preferences in respect of substance and style, much of this can be identified as typical of Dio. In the context of the part of his history which dealt with contemporary events, the story of Bulla Felix stands, alongside those of other bandits, as a symptom of the crisis of legitimacy in the Roman system of leadership at the time of the commencement of the imperial 'Crisis'.

Maternus the daring rascal was led on by essentially egoistical motives such as greed, ambition and a craving for fame. Among his men were disgraced

deserters and characters who had experienced every type of ruination. In order to fill his ranks, he did not hesitate to release remanded criminals from state prisons. His success as a bandit strengthened his ambition to overthrow the emperor and take his place. Thus among his characteristics was that of hubris. At the very last stage of the seizure of the throne, even his own men refused him and betrayed him.

What we know of Bulla Felix is quite different. He took from the rich and spared the poor. He refused to involve himself in plundering expeditions or arbitrary raids on villages and cities. An atmosphere of culture prevailed around him. Like a good patron to his clients, he gave the members of his band aid and protection. If he appeared to challenge the emperor he did this not to replace him but to direct the attention of the emperor and the ruling class to their duties and derelictions. Bulla Felix is the embodiment of the noble bandit; Maternus may be described in every respect as a common criminal with unusual drive. In the emphasis upon their wholly opposing characters it seems as if both were conceived of as an interdependent complementary pair – one a good example, the other a bad – by a single author. Such interdependence receives further support from points of similarity in the conception of Dio's account of Bulla Felix and Herodian's of Maternus. All this amounts to a series of indicators which suggest that it is Cassius Dio who should be seen as the source who casts Maternus the deserter as 'Maternus the common bandit'.

7

AVENGERS IN DYNASTIC CONFLICTS

1 Introduction

'Just are the pricks of revenge as they are sharp, when people are excited by provocation, desiring to balance pain received with pain.'[1] When Valerius Maximus, a collector of 'memorable deeds and sayings', pronounced this statement under the early Principate, the Biblical rigour of the principle of 'an eye for eye', which was also firmly rooted in Roman law ('force may legitimately be met with force': *vim vi repellere licet*)[2], had long been contained and diluted by measures of the state. However, the concept of vengeance as an act of satisfaction remained basically unquestioned. It was only that revenge ceased to be the direct and arbitrary responsibility of the injured party and was transferred to the state as the judicial authority.[3] The Roman state was, of course, never able fittingly to punish every injustice, in particular in the political field. This encouraged many to act for themselves. If they were unlucky they could find themselves called *latrones*, legally or colloquially.

Within the framework of his theory of social banditry Eric Hobsbawm categorised the avenger as a distinct bandit type.[4] Yet all 'bandits' fight to right some wrong and, therefore, in the case of other types, even that of the 'noble' bandit, vengeance also plays some part in impelling them towards rebellion.[5] This is confirmed by our sources. As we have seen in the case of Viriatus, vengeance for the wrong done by Roman generals to the people of Lusitania was the prime motive for his war of resistance.[6] The Roman slave wars were fought basically to win freedom for the rebels, but many slaves joined in not just because they were unfree but also because they wished to avenge themselves on their masters for their poor treatment.[7] In this, as in other revolts, the cruellest atrocities were motivated by hatred and should be understood as acts of revenge. In provincial rebellions, alongside other factors, explicit or implicit, vengeance was always involved, whether directed against both Rome and a native aristocracy, as in the Jewish War,[8] or solely against Rome as an alien oppressor, as in Tacfarinas' North African uprising. Maternus' *bellum desertorum* must have been joined by many nameless soldiers

whose conditions of service had been rendered unbearable by unreasonable demands of which we know nothing. Finally, Bulla Felix, the 'noble' bandit who challenged the emperor, appears basically as the avenger of all those who suffered the consequences of the civil wars in general and, in particular, the pressure of taxes and exactions.

As this short review has shown, to a certain extent the desire for vengeance characterises all types of *latrones*, in this respect making it difficult to distinguish between them. In what follows I will deal with only one specific variety of revenge which may be seen as the characteristic which links the members of a discrete group of political agitators. We have already met one of these in the chapter on Bulla Felix, the slave Clemens, *alias* Agrippa Postumus. By masquerading as his murdered master Clemens pursued a campaign of revenge against his killers. I shall go into further detail about this below. For the moment, it is sufficient here only to point up the two distinctive elements of the case: first, vengeance by a slave for a master fallen in dynastic conflict; and second, assumption of the identity of the fallen owner as the demagogic means of this revenge.

Under the early Principate this nexus typified, more or less exactly, a series of incidents which occurred at the imperial court and in those of a number of client-kings. In examining these cases it will become clear that the sources refer to only a few of these 'avengers' directly as *latrones*. In this chapter, therefore, we drift somewhat far from the terminological hub of our study – but, it should be emphasised, not too far. In terms of the difference between 'named bandits and implied bandits' as touched on in the Introduction, it is important that all the avengers to be dealt with here were ascribed basic characteristics of the bandit (e.g., the creation of bands, mainly from those who had nothing more to lose, riff-raff, scum; and the goal of getting rich by dishonest means). This amounts to more or less explicitly naming them *latrones*. And, just as in the case of rebels and rivals, whom we have got to know as two other types of the politically motivated *latro*, the lifestyle of these avengers amounted, at least according to the critical portrayal of Roman writers, to banditry – the recruiting of gangs and the taking of booty. So they, too, qualify as a type of *latro*.

A further feature of our avengers is that most of them took on the roles of masters who had fallen victim to dynastic struggles. This may at first seem strange, even ludicrous. However, given the restricted means of identification available in the ancient world this method was not really such a bad choice. Runaway slaves could frequently pass as freemen under false names,[9] and for this reason the slave trade was closely regulated to protect customers.[10] For political troublemakers who wished to make capital out of a false identity the 'right' name could be of enormous value. The proof of this is to be found in no less a person than Octavian. To begin with a claimant of little reputation, for his rise to power it was at least as important to him that he took on the name of Caesar as that he was able to draw extensively on the

material estate of the murdered dictator.[11] Octavian shared much the same basic thought process and the same *modus operandi* as our avengers. By adopting his new name he ensured that the dead dictator was reborn in him. At the time, the fact that his testamentary adoption was (and remains) controversial[12] was of less importance than the fact that he was publicly accepted as the new Caesar.

Octavian-Caesar might well also have been the model for our avengers in respect of vengeance itself. He acted as Caesar's avenger in his campaign against the assassins.[13] He sated his vengeance in the defeat of Cassius and Brutus at Philippi, as a token of which he laid the latter's severed head before Caesar's statue in Rome.[14] The main difference between Octavian and our avengers is that he was successful. If Mark Antony had won at Actium there is no doubt that Roman histories would be telling us about Octavian the *latro*, who quite illegitimately professed himself to be the son and avenger of Caesar, formed a gang and shook the state with discord and civil strife.

In conclusion, reference to just one author who was aware of the type confirms the plausibility of proposing that the assumption of a false identity was typical of illegal political agitation in Roman Antiquity, and that this was recognised by contemporary as much as by modern commentators. Valerius Maximus published a section of his *Memorabilia* (9.15) under a heading which establishes the two main characteristics of those concerned: 'Of low-born people who falsely attempted to pass themselves off as members of noble families' (*De iis qui infimo loco nati mendacio se clarissimis familiis inserere conati sunt*). By way of introduction he remarks that he finds bearable 'normal' cases which adversely affected only particular people.[15] He wants, rather, to tell of those whose deception caused great danger to individuals and to the state. Valerius was no objective observer, and his choice of five Roman and two foreign examples seems only partially useful.[16] An effective basis for discussion is to be had only by widening the set with other attested cases.

Methodologically speaking it is very significant that the following episodes were not recorded for their own sake but only because they could illustrate a particular aspect in the historiographical thinking of the authors concerned.[17] Valerius' 'normal' cases of the theft of another's identity, cases which were not widely known and which had no political impact, were therefore hardly likely to be set down.

One example of a case that lay on the threshold between 'normal' and 'grievous' but which fulfilled the minimum criteria of memorability by possessing some historiographical function comes from AD 69, the 'Year of the Four Emperors'. It was then that a fugitive slave called Geta took on the name of Scribonianus Camerinus,[18] a senator driven into hiding late in Nero's reign for political reasons.[19] Well informed, Geta was able to pass himself off as Scribonianus entirely convincingly. According to Tacitus, he fled to Istria where 'his' family, the Crassi, had estates and dependants and was well

regarded. He not only collected the scum of the area around himself but also hoodwinked credulous respectable people, including some soldiers, into joining him. The deception failed, Geta was brought before Vitellius, identified by his master and subjected to execution 'in the servile manner' (*in servilem modum*), i.e., crucifixion.[20]

We know as little about what impelled Geta to action as we do about his goals. As to whether he planned to use his band for plundering raids, plotted socially motivated uprisings of slaves, impoverished freemen and other social cast-offs, or aimed to set himself up as the avenger of one of the victims of Nero's regime, Tacitus is silent. As far as its social composition is concerned, his band amounts to the standard spectrum of social groups on which, as we shall see, Tacitus falls back in such cases. The uniform, short and unsympathetic manner of these and other reports on comparable incidents expresses rejection and disdain of those involved as well as basic lack of interest in their motives and aims. Tacitus shaped his narrative (*Hist.* 2.56–73) to make what Geta did marginal to the march of the Vitellians on Rome: one symptom of the crisis of the post-Neronian anarchy which, in comparison with the events to follow, was no big deal.

2 Clemens: avenger of Agrippa Postumus

The case of the slave, Clemens, who set himself up as the avenger of Agrippa Postumus is classic and has come down to us in three versions. The most important is the detailed account given by Tacitus in the 'Annals'.[21] Suetonius devotes just one sentence to the incident,[22] while Cassius Dio provides a hasty description which more or less tallies with that of Tacitus.[23]

Let us begin with Tacitus, who tells us that Clemens, on the news of the death of Augustus, sought to free his master, Agrippa Postumus,[24] in exile on the island of Planasia (south-west of Elba) and to get him to the legions stationed on the Rhine.[25] However, his vessel arrived too late:[26] Agrippa Postumus had already been slain. In these changed circumstances Clemens decided to avenge his master. First he obtained possession of the urn containing the ashes of the murdered man. Whether he did this to honour Agrippa's memory or, prudently, to eliminate a piece of evidence for his death, is open to speculation.[27] Then, for a while, Clemens hid himself away in Etruria, allowing his hair and beard to grow. He next spread the rumour that Agrippa Postumus was still alive, and pretended to be him. He was fortunate in being much the same age as Agrippa Postumus and very similar to him in looks. Tacitus says that there were plenty of mad and discontented people scheming revolution and prepared to join his movement.[28] In the end, half of Italy, including Rome, believed that Agrippa had been saved by the gods. In Ostia preparations were made to give the false Agrippa a triumphal reception. Tiberius first dithered between taking military action or waiting until the danger blew over before finally opting for intervention.

Clemens was arrested by agents who had wormed their way into his inner circle. Tiberius had the slave brought into his own presence and asked him how he had become Agrippa, to which came the bold response: 'In the same way that you became Caesar.'[29] Clemens withstood torture just as well as he stood up to the emperor and betrayed none of his accomplices. Concerned about the possibility of disturbances, Tiberius did not risk a public execution. He arranged for Clemens to be killed in a dark corner of the palace and his body to be disposed of in secret. Despite the substantial backing which Clemens, as 'Agrippa', had received from a number of members of the imperial household and from senators and equestrians, there was no subsequent witch-hunt. Tiberius let the affair die down without further comment.

Cassius Dio has the movement starting in Gaul. According to him, Clemens moved into Italy and finally advanced on Rome, 'with the avowed intention of recovering the dominion of his grandfather',[30] i.e., the Augustan principate. Dio thus directly makes Clemens a usurper. Tacitus had not been so explicit, even though at the core of his account also lies his challenge to Tiberius. Dio agrees with Tacitus in having Clemens betrayed by secret agents. His account ends with Clemens' famous retort to Tiberius' question as to how he became Agrippa.[31]

In Tacitus' account there occurs a degree of detail inexplicable in terms of the limited historical significance of the episode. However, why it suited him to report so fully on the doings of Clemens is easy to explain in the light of his notorious antipathy to Tiberius:[32] as U. Knoche has said of a similar situation, 'what seems trivial he wishes to be understood not for what it is but as indicative of a moral state'.[33] In the case of Clemens, Tacitus was particularly interested in the way in which Tiberius responded to the slave's challenge, which was hardly fitting for a ruler. Tiberius delayed in dealing with the troublemaker with the necessary determination: 'Tossed between shame and alarm, he reflected one moment that nothing was despicable; the next, that not everything was formidable.'[34] After Clemens had eventually been caught, the emperor found himself disarmed by the slave's ready response to his interrogation. The effect on the reader is unaffected by the fact that, as we saw when considering Bulla Felix, what is happening here is probably not the reproduction of an historical event but rather Tacitus developing a variation on a literary theme. The historian has become a dramatist (the very 'bandit stories' which are at the heart of this study show that, given the moralising tendencies of ancient historiography, this was not unusual) and as such allows the slave to triumph over the emperor in order to make obvious the weakness of the latter. The reader senses that, in having his challenger done away with in secret in order to avoid a greater sensation and in forbidding investigation into the background of the incident, Tiberius had something to hide. Clemens indeed appears to plague the emperor as the embodiment of his guilty conscience. And this must surely have been Tacitus' intention. By careful choice of

language, without needing to level specific accusations, he could incriminate Tiberius by subliminal suggestion.

What precisely Tiberius was charged with in Tacitus' encrypted report on Clemens the reader of the 'Annals' knows only too well. In Book 1 the murder of Agrippa Postumus is designated 'the first crime of the new principate'.[35] The reference to 'new principate' as opposed to 'new *princeps*' is not accidental. The difference is small but telling. *Principatus* is impersonal, signifying the whole system of government headed by Tiberius. The term allows Tacitus to accuse Tiberius without mentioning him by name. Agrippa Postumus, the son of Agrippa and Julia, was murdered immediately upon the death of Augustus.[36] The deed was done by a centurion, acting unwillingly under orders,[37] perhaps on the personal instructions of Augustus. Whatever, it ensured the succession he planned and was therefore in the interest of Tiberius.[38] For our purposes it is unimportant who gave the actual order, Augustus, Livia or Tiberius.[39] The planning and execution of the scheme were left to Sallustius Crispus. This man, an intimate of Tiberius, a descendant of Sallust the historian, and clearly someone the emperor employed to do his dirty work, was, apparently, also later put in charge of the operation to hunt down Clemens.[40] It is possible that it was through Clemens' appearance as the false Agrippa Postumus that the violent death of the real Agrippa Postumus first became generally known. At any rate, Tacitus says in his report of the murder of Augustus' grandson that Tiberius wasted no words on this in the Senate.[41] This earlier failure to announce what had happened to Agrippa would explain Tiberius' later attempts at dissimulation and his deciding against a public investigation of the Clemens affair. For Tacitus it was clear that Tiberius bore the responsibility for the murder. *Prima facie* everything was against the new *princeps*. In removing a potential rival he had a motive that made him the prime suspect. And the story of Clemens as the avenger of the murdered man is, as it has come down to us, ideally suited to confirm such suspicions. The only thing that can, and must, be adduced in Tiberius' defence is Tacitus' enormous dislike of the second Roman emperor. It is clear that Tacitus' account of Clemens the avenger was meant as coded testimony against Tiberius.

With this, let us return to this account. In Tacitus, the Rhine army, to which Clemens had wanted to take his master, appears as the starting point of a usurpation. In anticipation of a matter to be dealt with later, reference may here be made to a parallel case: the false Drusus, avenger of the real Drusus, is supposed to have tried to win support from the Syrian army group.[42] The Rhine army and the eastern army units threw up pretenders for the first time in the 'Year of the Four Emperors', AD 69, in Vitellius and Vespasian respectively. Given this run of events, the matching notices in his accounts of the false Agrippa Postumus and the false Drusus should be seen as Tacitus' projecting events of 69 back to the time of Tiberius. This is confirmed by a passage in the introduction to the 'Histories' where Tacitus

emphasises as emanating from the crisis following Nero the realisation that 'emperors could be made elsewhere than in Rome'.[43] Readers of the 'Annals' were, of course, already aware of the history of 69, and so able to make the connections that Tacitus wanted them to without further prompting and, thanks to so plausible a potential for disaster, were able to believe fully in his introductory comment on the Clemens incident, that the state came close to being rocked by discord and civil war.[44] The link with 69 is signalled both by the phrase *exercitus Germanici*[45] and by another line of thinking, concerning the events which occurred on the Rhine after the death of Augustus.[46] Instead of Tiberius, the Rhine army had demanded Germanicus as the new *princeps*. Germanicus prudently eschewed the attempt, and even managed to pacify the rebellious legions. If Clemens really had planned to free Agrippa Postumus from exile and take him to the Rhine, he made the right choice; if the idea was Tacitus', he framed a likely scenario for usurpation.

Whoever devised the scheme to rescue Agrippa Postumus wittingly or unwittingly followed the example of Lucius Audasius and Asinius Epicadus some years earlier. Before the death of Augustus, these two had conspired to attempt to free Julia and Agrippa Postumus from their respective places of banishment and bring them to the troops.[47] The plan failed, but it showed that in the dynastic struggles within the imperial family 'Julians' suppressed by 'Claudians' could call upon certain dependants who might well mobilise in their aid.[48] Rival branches of a ruling family, embroiled in a dynastic contest which a slave of the ruling house seeks to influence as avenger of the losing side – none of this is purely fortuitous. We shall meet its like again in the family of king Herod.

In assessing Clemens it is important to note that he gave thought to personal vengeance only after he had learned of the death of his master. Until then he wished only to liberate Agrippa and, in order to give him a flying start, to assist him to a military power base. All this indicates Clemens' unconditional loyalty to Agrippa and makes it at least probable that he followed no personal political agenda. He must have regarded the situation in which he found himself on Agrippa's murder as extremely awkward since, being of servile status, he had no legal competence to take action against his master's killer. He was put in a further dilemma by the law of inheritance, according to which a slave on the death of his master became the property of the heir.[49] Originally the slave of Agrippa Postumus, Clemens had since AD 6 belonged to the *familia* of Augustus as a result of the latter's deciding, at the same time as he banished his nephew-by-blood and adopted son, Agrippa, also to confiscate his property and debit it officially to the Military Treasury (*Aerarium Militare*).[50] With Augustus dead, Clemens for the second time received a new master to whom, of course, he owed exactly the same loyalty as to the old. But this new master was none other than Tiberius, heir of Augustus and prime suspect as the perpetrator of or accessory to the murder of Agrippa.[51]

Tacitus gave this conflict of loyalties a positive aspect by drawing Clemens as a sympathetic character. To be sure, the avenger of Augustus' nephew is a slave (*mancipium*) whose presumption (*audacia*) almost triggered civil war and whose methods were deceit (*fraus*) and violence (*vis*). Yet, despite all this, according to Tacitus there was nothing servile in Clemens' thinking (*non servili animo*),[52] which may as its opposite inspire in his reader's mind the phrase *magno animo*: 'noble of soul'. Tacitus treats Clemens' intention of avenging the murder of his master implicitly as an act of *pietas*, and so allows him certain points in mitigation. Thus, although to begin with he was joined only by shady characters, in the end Clemens could count colleagues of the emperor, senators and equestrians among his sympathisers and helpers.[53] Though the false Agrippa had come close to shaking the state to its foundations, the moral blame for his crime was laid at the door of the killer of the real Agrippa. Tiberius (or rather, that is, Tiberius as depicted by Tacitus) knew this and it was for this reason that he had his challenger secretly done away with, after having been able to defeat him only by deceit. And yet, at the dramatic climax of Tacitus' tale, Clemens, though defeated, was able firmly to cast doubt on the legitimacy of his conqueror: Tiberius was as much a true *princeps* as Clemens was the real Agrippa Postumus.

3 The avenger of Drusus, son of Germanicus

There was a second troublemaker under Tiberius who, in the manner of Clemens, looked to political unrest. This was the false Drusus,[54] already mentioned as having sought the support of the Syrian army group as the basis for an attempt at usurpation. At first glance, at any rate, his case is so similar to that of the false Agrippa Postumus that one might suspect a doublet. Our informant is again Tacitus,[55] in his capacity as critic of the Principate intent again on discreetly seeding his account of the reign of Tiberius with yet another example of this emperor's progressive depravity.

It could be that the man who appeared as Drusus in AD 31[56] had been inspired by the story of Clemens. The imposter, whose real identity remains a mystery, gave himself out to be Drusus, son of Germanicus. In choosing Drusus he chose someone who was as much of a victim of Tiberius' regime as had Clemens in Agrippa Postumus. At the time the real Drusus was in Rome under arrest or already being starved to death in prison. He had fallen prey to the machinations of Sejanus,[57] who was himself overthrown in the same year as the one in which the false Drusus played out his charade.[58]

This time the scene was set not in Rome but in Greece, the Cyclades and Asia Minor. The imposter was joined by imperial freedmen in the sincere belief that he was Drusus. Their testimony gave him credibility, enabling him to recruit the ignorant, attracted by a famous name, into his ranks. This, remarked Tacitus, exemplified the naïve credulity of the Greeks; but how could they have known what or what not to believe? In the end the

false Drusus convinced everyone that he had escaped from imprisonment and let it be known that his intention was to entrust himself to the troops of his father, Germanicus, and take over Egypt or Syria. In principle this was a scheme that might have won him support, since Germanicus, too, was to some degree a victim of the regime;[59] but it was impractical because the legions would scarcely have been convinced by so wild a tale. Given the possibility of a projection backwards in time of the events of 69, one suspects that Tacitus made too much of the threat posed by the false Drusus.

At first the imposter, unchallenged, was able to work towards his goal and count up a growing number of followers. Precisely who, and how many, the young men (*iuventus*) were whom Tacitus names as his adherents we cannot say. The terminology used suggests that they were not runaway slaves or bandits etc. This is confirmed by the information that whole communities joined in (*iam publicis studiis frequentabatur*). The governor of Macedonia and Achaea at the time was Poppaeus Sabinus, grandfather of Poppaea, later wife of Nero. He became aware of what was happening and pursued the rogue over the eastern Mediterranean. At Nicopolis he managed to lay hands on him for a while. Under interrogation the prisoner declared that he was the son of M. Silanus. M. Junius Silanus, suffect consul in AD 15, was a crony and close friend of Tiberius.[60] Everything tells against this,[61] but if it were true and not just another of his inventions Drusus and his avenger would certainly have been acquainted, and perhaps even have been intimates. It would also suggest a personal motive for a friend himself under political suspicion.

Whatever the truth, the false Drusus managed to flee to Italy. Tacitus says nothing about his fate. Cassius Dio's claim that he was arrested and brought before Tiberius could be taken from the story of the false Agrippa Postumus.[62]

The extent to which vengeance for the wrong done to Drusus really was a motive for this troublemaker cannot be precisely determined because we do not know who he was. The similarity with the case of Clemens, who was clearly moved by thoughts of revenging his master, suggests that the false Drusus wanted to be seen as a genuine avenger. He acted like Clemens and, moreover, also like the avenger of Alexander, son of Herod. Whatever his reasons, as far as his followers were concerned, whom he will have recruited deliberately from among the clients of Drusus and his father, Germanicus, vengeance was certainly the decisive factor.

4 The avenger of Alexander, son of Herod

The comparative cases which follow take us from the imperial court to those of Roman client kings of the early Principate. The first two lead us to Judaea, occurring directly after the death of Herod I, i.e., in AD 4 or shortly thereafter.

The last years of Herod's rule were overshadowed by continual conflict between the king and his two sons by Mariamne, Alexander and Aristoboulos.[63] The background to this is important here only insofar as it concerns strife among rival heirs by different marriages of their father for recognition and succession. Such family discord illustrates the tragic internal division of many ruling houses.

As it turned out, even the emperor Augustus was called upon as mediator. He had got to know Alexander and Aristoboulos personally during their long stay in Rome, but even his authority was able to put an end to the quarrelling only superficially and for a short time.[64] It was probably in 7 BC that Herod had them both executed.[65]

Some years later, immediately after the death of Herod, Alexander appeared again in the land of the living. The man who impersonated him looked so like him to those who believed him dead that even those who had known the prince intimately were absolutely convinced. This, at least, is the assertion of Flavius Josephus, who gives two versions of the activities of the false Alexander.[66] There are differences between the earlier (in the *Bellum Iudaicum*) and the later (in the *Antiquitates*) of these which demonstrate above all how what Josephus reports as historical incidents were the products of considerable literary embellishment.

As it later transpired, someone had taken on the identity of Alexander. The imposter was an anonymous Jewish slave belonging to the household of a Roman freedman in Sidon. His initial asset was his amazing facial resemblance to the prince. The idea of exploiting this was not his but that of a third party, also a Jew, who was well informed about conditions in Herod's court and was generally a crafty rogue.[67] Who he was we can for the moment leave aside. Acting as an 'instructor in mischief' (*kakias didaskolos*), this mystery man used his intimate knowledge to school the slave from Sidon in his role as Alexander.[68] He laid particular emphasis on giving the false Alexander the airs and deportment of a prince. 'Alexander' must have been a willing pupil to have carried this off as well as he clearly did.

After careful preparation the plot could proceed. 'Alexander' claimed in public that 'his' executioner had let 'him' go out of compassion, and that someone else's body had been substituted for his as proof to Herod that his death warrant had been carried out.[69] He sought his fortune far afield. From Jewish communities in Crete and, especially, on Melos, he won extensive support for extending his journey to Italy. The Melians even carried 'Alexander' about in a litter and generously set him up in a fashion fit for a king.[70] When he landed in Italy he was already a wealthy man – by his own account, richer than the true Alexander had ever been. In Puteoli, and then in Rome, the same performance of triumphant arrival and enthusiastic crowds was repeated.[71]

In the meantime, Augustus too had become aware of this purported son of Herod. Having known Alexander personally, he (according to Josephus)

doubted the authenticity of the claimant even before he met him.[72] It seems, therefore, that the emperor was the first to greet the imposter with sober scepticism. One could not, so Josephus appears to say (no doubt to flatter his friend and patron, Vespasian), pull the wool over the eyes of a Roman emperor, in this way also taking a sideswipe at the unbelievable blindness of all those Jews taken in by the false Alexander.

Still a little unsure, Augustus ordered one of his intimates, Celadus, to investigate.[73] Celadus, a freedman, was particularly well acquainted with Alexander from his time in Rome. The moment he laid eyes on the imposter he realised that it was all a deception. According to Josephus, all of a sudden the false Alexander seemed much less like the original and his uncouth build betrayed him as a slave.[74] Taken to task by Celadus, the false Alexander immediately confessed – rather too promptly for an imposter who had managed to preserve his disguise so masterfully and with such success. Aware of the tension, Josephus tried to explain it away in his later treatment of the story, which in this respect differs clearly from the original of the *Bellum Iudaicum*.

But first let us resume the course of the original. In the name of Augustus, Celadus assured the slave that his life would be spared if he identified the person behind the plot. The imposter offered no resistance, willingly named his Svengali, and candidly admitted how much he had benefited by the deal. Augustus heard the story with amusement and then, because of the strong physique already stressed by Josephus,[75] sentenced the man to the galleys. We are not told what happened to his accomplices.

We should not be surprised that Augustus treated the affair in a relaxed fashion, with humour and even some cynicism. Even if Josephus' account is not precisely how things happened, it is probably more or less correct and, as we have already seen, in comparable circumstances (Corocotta's cheeky surrender) the emperor had reacted with the same control.[76]

So much for the *Bellum Iudaicum*. In the *Antiquitates Iudaicae* Josephus devised a more colourful and credible finale. First, he recast the imposter's condemnation to make a more complex and so more plausible set of events than in his first version of the story. Celadus is again sent by Augustus to make contact with this supposed son of Herod, but is unable to make up his mind as to whether or not he is genuine. 'Alexander' and his backer are brought before Augustus, but both at first deny the deception. It is the emperor alone, with his perfect eye for the truth, who senses that the young man is too burly for a royal prince, and so can never be the son of Herod. The insight that in the *Bellum Iudaicum* was attributed to Celadus is now had by *princeps* himself. In order to make Augustus' clever perception even more impressive, he is now made to expose the false Alexander fully without any external help. To this end he first asks the claimant about the whereabouts of his brother, Aristoboulos. He is told that he too was spared by the compassionate executioner, and has been left behind safe on Cyprus to make sure that, whatever happened, one of the sons of Mariamne would survive.[77]

Augustus makes plain that he is not happy with this response, and presses the false Alexander further. Finally, the latter can stand no more interrogation. The emperor's promising him his life encourages him at last to make a full confession. As we already know, Augustus keeps his word and condemns the false Alexander to the galleys. From the *Antiquitates* we learn further that the man who put him up to it was executed as instigator. Both versions come together again in respect of the conclusion of the affair: wryly amused, Augustus finds it a worthy punishment for the Melians that they stupidly squandered so much in believing the imposter.

Which points in this story are genuine and which are fictional is very difficult to decide thanks to Josephus' evident and extensive literary reworking. The imposter makes his appearance craftily and to effect and so is enormously successful – until, that is, he falls under the penetrating gaze of Augustus who, unlike all the rest, is not fooled. And in the end what undoes the false Alexander is not any error in his performance but his servile physiognomy. Both aspects seem too schematic to be true.

Disregarding such contradictions, what needs to be considered here is the extent to which vengeance may have played a role in all this. The answer is scarcely to be found with the false Alexander himself, who had no connection with the house of Herod; but it may be in his unknown backer. As we have seen, it was this man who pulled the strings and who was the brains behind the act. He treated his accomplice only as a tool in his plans. Augustus took this into account by having him executed but letting the false Alexander live. This mystery man is the key to the plot.

Though we are told very little about him, Josephus provides one clear clue in saying that he was well acquainted with life within the ruling house and well versed in dirty dealing.[78] This sounds very much like a royal slave or freedman, all the more so because the friend whom he induced to play the dangerous game because of his similarity to the dead Alexander was also a slave. This slave or freedman may have developed a wish to avenge the prince, Alexander, executed for political reasons, and this led him to momentous decisions. Such thoughts of vengeance become all the more plausible if this man had been one of Alexander's personal attendants, as Clemens had been of Agrippa Postumus. This is not invalidated by Josephus' stressing personal enrichment as the goal of the undertaking and the great criminal drive behind it. This just results from his literary stylisation, aimed at demeaning the perpetrator as a common lawbreaker. At first glance one indeed forms the impression that the imposter and his crony were interested only in loot and had no political agenda. However, that the false Alexander wanted to secure not only wealth but also the standing of the real Alexander becomes clear the moment he says to Augustus that his brother Aristoboulus had taken refuge in a safe place to prevent the family of Mariamne from being totally wiped out.[79] This would give a political motive: the safeguarding of dynastic interests. If my supposition is correct and the anonymous

backer really was a slave or freedman of Herod or even Alexander his actions closely resemble those of Clemens, avenger of Agrippa Postumus.

In the same situation of uncertainty provoked by a change of ruler in Judaea, yet another slave of the dead Herod generated political intrigue. In his case vengeance of the sort we have seen so far cannot have been in play since his master had not lost his life as the victim of injustice but died a natural death. But first let us look at what happened. Following the death of Herod, the household slave, Simon of Peraea, had a royal diadem placed on his brow.[80] This is, at any rate, what Josephus claims, but his readiness to brand a troublemaker as a usurper is notorious.[81] On the other hand we know that the succession was hotly disputed and led to further unrest,[82] as exemplified not least by the agitation caused by the false Alexander. Simon's actions, suggestive of a focused campaign of vengeance, indicate that the rebel slave then gave all his attention to Herod Antipas, the son and successor of the dead king. According to Josephus, he recruited a band of *leistai*, burned down the royal palace in Jericho together with many royal country residences, and gathered together much plunder.[83] Attacked by native troops under Roman direction, he was killed by a Roman officer.

Whether Simon wanted to be king or not, his uprising was aimed against the current ruler. However, his act of vengeance need not have been politically motivated; it could have been personal. If the heir to whom a slave passed made his life worse by depriving him of some earlier position of privilege, he might have decided to take action on his own account. Since Herod Antipas was Simon's new master it may well have been that he had made arrangements which had adversely affected the slave.

That Simon caused trouble because he had lost a privileged position is only a guess, but one that becomes more probable when one takes into account the following two cases. Here we encounter troublemakers who were both avengers of their masters and avengers in their own right.

5 Aedemon, avenger of Ptolemy of Mauretania and Anicetus, avenger of Polemon II of Pontus

Both these cases also occurred at the courts of Roman client kings and followed our previous pattern of former royal slaves avenging the overthrow of rulers. There is no element of impersonation, but agitation under an assumed name was always only a means to an end and it is vengeance as a primary motive which connects the *latrones* of this chapter.

In AD 40 Caligula ordered the murder of king Ptolemy of Mauretania,[84] who was probably guilty of fomenting disturbances against Romans residing in his still nominally independent client state. Unrest then flared up at the royal court and developed into a full-scale war which lasted for more than a year. As a result Claudius made Mauretania a Roman province. At the head of the uprising was Aedemon, a freedman of the murdered Ptolemy.[85] For

him, as a contemporary author explicitly confirms, the craving for revenge for the murder of his patron was sufficient personal motive.[86] However, that there was such a conflagration is surely not explicable solely in terms of the intentions of the movement's leader. What may have been decisive was the determination of part of the local population to resist the provincialisation of their land.[87] If, therefore, as it appears, the Mauretanian rebellion resulted from the typical confusion of a provincial society faced by the establishment of Roman domination, events were given a personal touch by what drove Aedemon. The view that Aedemon wanted to be king[88] sounds just as unlikely as similar reports concerning Simon. It seems more plausible that he fought for the continuity of the ruling house and the maintenance of Mauretania's semi-autonomy.[89]

In summary, in Aedemon we can see the combination of three motives for vengeance. He, probably like the other participants in the revolt, was driven by the wish to avenge the murder of his king and master. In addition, Aedemon's personal feelings in this respect must have been intensified by the loss of the person who had freed him, his patron, who guaranteed his high status and prosperity. Finally there was another emotion which Aedemon will have shared with fellow-rebels: the loss of the remaining freedoms which his land had formerly possessed.

The Year of the Four Emperors, 69, which provoked great uprisings in Gaul and the Germanies, also caused trouble in Pontus. Its ringleader, Anicetus,[90] whose very name ('Unconquered') advertised invincibility, was originally a 'barbarian slave'[91] in the service of king Polemon II, dethroned by Nero. As a freedman, he was prefect in charge of the Pontic king's navy – as Tacitus explicitly says, a man of enormous influence (*praepotens*).[92] Anicetus was not prepared to come to terms with a new order which meant the loss of his power;[93] i.e., he may have had a personal motive for rebellion. His chance stared him in the face in the civil war between claimants to the imperial throne. He declared officially for Vitellius – imprudently, given the relative proximity of Vespasian,[94] but an indication that he was not basically anti-Roman. He recruited bands of men from Pontus, indiscriminately accepting the poorest of the poor,[95] men for whom the chief attraction was the prospect of booty.[96] Most of them, according to Tacitus, talking of a *bellum servile*, were runaway slaves.[97] He targeted Trapezus, on the eastern edge of the province, and proved able to win over without a fight its garrison, made up of former troops of Polemon, and a detachment of the fleet. With these he dominated the east of Pontus and its coastal waters, which his troops plundered at will in their greed for booty.[98] To suppress the revolt Vespasian sent detachments of his legions under the command of Virdius Geminus. Facing defeat, Anicetus sought refuge with a local dynast living beyond the imperial frontier who,[99] however, under pressure from Virdius Geminus, had him executed and handed over his followers.[100]

Although Tacitus clearly stresses hunger for power as Anicetus' personal motive, the uprising can hardly have been inspired by him alone. As with Aedemon, it is likely that at least as important a role was played by the readiness to revolt of a proportion of the local population that was hostile to Rome. The other cause implied by Tacitus, the greed of the destitute, later identified as fugitive slaves, extends our picture of events so that it fits a set of motives characteristic of the usual pattern of such cases, but by doing so makes us suspect this of having been doctored to fit a cliché.[101]

6 Three false Neros

We stay in the period following Nero's death, but leave the courts of Roman client princes to return to that of the emperor to deal with three attempts to resurrect the dead ruler. Before going into detail, the very knowledge that efforts were made to bring back to life the wretched Nero allows two solid inferences. First, that anyone who attempted this could expect no sympathy from Roman historians along the lines of that extended, to some extent, to the avenger of Agrippa Postumus. We can expect negative reporting concerning 'bandits'. Second, we may also expect the influence of a desire for vengeance. This is not to say that the false Neros saw themselves as avenging the real Nero for purely personal reasons. Rather, the desire for vengeance could be moved along a stage, and used as a means of obtaining the backing of supporters of the unlucky emperor. The existence of such supporters in significant numbers over a long period after Nero's fall is demonstrated by the repeated attempts to revive him and is confirmed by remarks by Tacitus, who stresses Nero's popularity among the urban poor of Rome and has Galba say to Piso that although there would always be people of the worst sort (*pessimus quisque*) who wanted Nero back, their task was to prevent them from being joined by the respectable classes (*boni*).[102]

This brings us to the first of these three cases, which occurred in 69. The false Drusus had already caused upset in the eastern provinces and after the death of Nero Greece and Asia Minor fell victim again to an imposter – unless, that is, Tacitus developed the parallel only to confirm his picture of the gullible Greeks.[103] At any rate, he tells of a slave or freedman from Pontus or Italy who was induced by his similarity in appearance to Nero[104] to appear as the emperor.[105] He is the first of the three attested false Neros, but in his narrative on him Tacitus suggests that he knew of *several* such cases which he would deal with in their respective contexts.[106] If there was nothing more in the lost parts of the 'Histories' then this announcement has no force, but it could be that there were more false Neros than the three we know of.[107]

The first false Nero was helped in his activities by the current rumour that Nero was not dead. Belief in the imposter was strengthened further

by his musical abilities, in particular his playing of the lyre. His base was the island of Cynthus, in the Aegean, to where his ship had been driven by storms. He is said to have formed a band from vagabond deserters, and to have gained wealth and slaves from piratical raids on passing merchant vessels. He armed the crews of the latter, especially the strongest among them, and used them to reinforce his crew. Armed bands of slaves and deserters, led by a slave or freedman who had usurped the identity of a fallen emperor: it is impossible to determine how far these things corresponded to reality. However, the whole affair amounts to a typical example of how Tacitus turns a minor revolt into a typical *latrocinium* and into a symptom of the political and moral crisis of the Roman state. In this respect, Tacitus goes on to say, the news of the uprising and the allure of the name of Nero attracted many people who, discontented with their lot, countenanced revolution.[108] We can, of course, only guess at which groups of people in the Roman East may, in the face of the impending civil war between Vespasian and Vitellius, have entertained thoughts of revolution. Assuming that this is no fictional imputation on the part of Tacitus, the chief suspects are Vespasian's enemies in the region – followers of Nero the philhellene,[109] or even adherents of Vitellius.

The spectre of the false Nero was laid to rest by the governor of Galatia and Pamphylia who, with two warships of the fleet at Misenum, ran down his vessel, took him prisoner and had him executed. The imposter's head, like in later times those of usurpers, was sent to Rome – an indication of just how much unease the incident had provoked, the more so in a situation of civil strife. Ostensibly the fraudster sought to win over to his cause the naval captain sent to arrest him. Still posing as Nero, he ordered this officer to convey him to Syria or Egypt. Taken at face value, this signifies that the false Nero sought a direct confrontation with Vespasian. However, it seems that here we have rather a doublet of the corresponding section of Tacitus' account of the false Drusus.[110] In both instances Tacitus conjures up the danger of imposters being able to take over the Syrian army group and using its strength to aim for imperial office – hardly a realistic scenario either in the case of the false Drusus or, even less so, in that of the false Nero. As they showed in 69, Roman legions would support usurpers under certain circumstances but such usurpers had to be known to them personally, as their trusted commanders, and have no doubts attaching to their identity, their social status and their merits as prospective emperors. Tacitus clearly deliberately dramatised his account in order to make the appearance of the false Nero into an important symptom of the crisis of 69.[111]

We return again to the person of the false Nero. Tacitus was able to find out no more about him than that 'he was a slave from Pontus or, according to others, a freedman from Italy'.[112] Apart from his supposed similarity in appearance to Nero and his 'Neronian' skills in lyre-playing and singing, he must have been able to draw upon extensive intimate knowledge of life at

the imperial court as well as upon the ability to conduct himself as emperor in public. This reminds us of men like the avengers of Agrippa Postumus and of the son of Herod. Though it cannot be proved, one suspects that the false Nero was also an imperial slave who set himself up as the avenger of his ruined master. At any rate, he exploited the desire for vengeance by Nero's supporters for his own ends, thereby stamping the affair with the usual association of vengeance and the assumption of the identity of the avenged.

The rumour that Nero was not dead, which in 69 allowed a warm reception for a first imposter, was still doing the rounds ten years later, so that in 79 or 80 a second false Nero appeared,[113] and just ten years after this a third. The second imposter was one Terentius Maximus, a freeman from the province of Asia. He is supposed to have looked and sounded like Nero and, like the emperor, to have accompanied his singing on the lyre. In these respects, what is said about him is fully in line with what was said of the first false Nero. He gave out that Nero had escaped the squad of soldiers come to kill him and had spent many years in hiding. The story goes that, with a core of followers from Asia Minor,[114] Maximus made his way into Parthia[115] and attracted lively support. According to Dio, a Parthian commander called Artabanus, who nursed a grudge against the emperor Titus, made the false Nero welcome and promised him support in his intended return to Rome. In John of Antioch 'Nero' likewise reached the Parthian Empire, sought support on the basis of reciprocal generosity in respect of the Armenian question, but in the end failed to achieve anything.[116] The swindle soon collapsed, and the imposter was forthwith disposed of.

The third false Nero[117] sought his fortune in the same way as his predecessor, by claiming to be ruler of the Roman Empire. He too operated from Parthian territory and received support from the Parthian king who, we are expressly told, 20 years later still cherished a special regard for Nero.[118] We do not know what happened in detail, but from the brief reports in the texts the incident clearly caused a great deal of fuss and seriously strained Romano-Parthian relations. Suetonius writes that the Parthians yielded only reluctantly to Roman efforts to have the man handed over,[119] and Tacitus even reports that war was threatened over this 'piece of trickery'.[120] The basis for the repeated appearance of false Neros was persistent eastern sympathy for this emperor on both sides of the Parthian border.[121] Though they never posed a real danger to Vespasian, Titus or Domitian as usurpers or foci of opposition forces, we should not overlook the fact that each of the Flavian emperors was confronted by an imposter. In particular, the rulers of the Parthian empire made no secret of their regard for Nero as opposed to the Flavians.[122] This should not surprise us, given Nero's ceremonial confirmation of Tiridates as monarch of Armenia in 66.[123] Flavian policy towards the Parthians was hardly deliberately revanchist; but what the Flavians did could be (and, by the Parthians, certainly was) interpreted as a means of improving

the base of operations for Roman offensives, being measures from which Trajan later benefited. As F. Millar has shown, from the reign of Vespasian the Roman presence in the eastern border region was consistently and systematically strengthened, intensifying civil and military control over the region.[124] A link between imperial eastern policy and Parthian reaction may be understood in a notice in Cassius Dio's account of the second false Nero, where Artabanus' motive in aiding the usurper is annoyance at Titus.[125] That high-ranking Parthians concerned themselves officially with dubious pretenders is explicable in terms of their deploying these 'Neros' as a threat to impress upon the Flavians that the basis of peaceful relations was political negotiation. This aside, internal feuding over the Parthian throne may also have played a part,[126] though this is difficult to ascertain. As far as we are concerned, it is noteworthy that the Parthian Empire was twice seduced by false Neros.

Excursus: three troublemakers of the late Republic

The cases dealt with so far, from the period of the early Principate, fall within a pattern of incidents of vengeance for victims of political disaster which, *mutatis mutandis*, also characterises three occurrences of the late Republic. I have deliberately postponed discussion of these, contrary to their chronological order, and have accorded them less importance than my other examples by placing them at the end of this chapter. This is because they lack not only a dynastic background, natural enough in a Republican context, but also, any personal relationship between avenged and avenger. In the cases looked at so far, this was either explicit or highly likely and was decisive in stimulating the avenger to action. What we have here, therefore, is not personal vengeance but mischief carried out under an assumed name with the wrongful aim of obtaining political power.

The first case is that of a certain Equitius.[127] He first stepped on to the political stage in 102 BC when he claimed to be a son of Tiberius Gracchus. The tribune of the people, L. Appuleius Saturninus, infamous for his many street fights, discovered in Equitius and his charismatic personality an ally as faithful as he was unscrupulous. The main political issue of the day was the providing of Marius' veterans with land and the founding of new colonies. Equitius, of course, did not operate under his own name, which we know of only through a later author.[128] The inhabitants of the city of Rome had a soft spot for the name of Tiberius Gracchus: their expectations were aroused by the political programme that was associated with it. The mob asked no questions and accepted Equitius as a descendant of the Gracchi. No one really knew who he was and where he came from.[129] He was a man 'without nation, testimonial or family'.[130] That he was termed a freedman[131] or, occasionally, even a runaway slave,[132] need not correspond to the truth, since it could be just a simple and effective means of disparaging him by his enemies.

In 102 BC Equitius sought to have the descent he claimed confirmed by the censor. Q. Metellus Numidicus, the current holder of this office, resolutely blocked this request, unimpressed by the subsequent terror which the pretender had his followers unleash on the streets.[133] Because of the lively support of the urban plebs it made no difference to the self-styled Gracchus that the last living member of the Sempronian family testified uncompromisingly against him.[134] Backing each other, Saturninus and 'Gracchus' stood for the tribuneship of 100 BC, a memorable year. Marius, then consul, tried to impede this illegal candidature by having the imposter arrested in public, but his followers used force to free him from gaol.[135] When it came to the vote both of the controversial candidates were successful,[136] but on the day they were due to enter into office, 10 December 101, Equitius was killed in a riot.[137]

There are no grounds for supposing that personal vengeance was a motive here, since the identity was stolen and the imposter had no obvious links with the family. However, vengeance of a sort may have played a part, insofar as Equitius appealed deliberately to the desire for revenge of the political supporters of the vanquished Gracchi and of those who had benefited from their reforms, i.e., essentially, the *plebs urbana.* For such people, backing the alleged Gracchus amounted to a form of revenge against those optimate politicians who had put a stop to the successes of Gracchan policies, in particular land distribution and the corn-supply.

In 45 BC, another chancer excited interest in Rome, our second case.[138] Once more the backdrop to all this was political unrest. The man claimed to be a grandson of Marius – again a false and indeed fictional identity. His name occurs in various forms. In Livy (*Periochae*) it is given as Chamates. Appian calls him Amatios, which appears to be Amatius, the Latin rendering of Chamates taken back into Greek. In Valerius Maximus his name is Herophilus. Accounts agree, however, as to the place, time and circumstances of his appearance, and therefore may all be taken as referring to the same person.[139]

Cicero regarded the imposter as no more than a runaway slave.[140] However, this need not have been the case since this was how he automatically disparaged popular agitators.[141] Otherwise, he had good reason to malign Marius' bogus grandson, because the latter had the effrontery to seek to enrol him among his supporters in the hope that the backing of a revered consular might lend credibility to his claims of descent.[142] But Cicero was too wily to refuse him directly; craftily, he referred the petitioner to Caesar. How he reacted, we shall see in a moment. Returning to the social status of the imposter, even Livy's 'person of the lowest stock' (*humillimae sortis homo*) need be no more than an expression of contempt, as little an indication of servile status as Valerius Maximus' (9.15 pr.) allocation of him to those 'of the lowest birth' (*infimo loco nati*). However, that he may have been a slave can be inferred from various, admittedly vague, references. The names

Chamates or Herophilus indicate that he came from the Greek East, and suggest a Greek slave.[143] Herophilus is supposed to have been a doctor,[144] a profession generally (though not exclusively) practised by people of unfree status.[145] Attractive, albeit unproven, is the set of names proposed by A.E. Pappano. In his view, Herophilus could have been the slave of a certain C. Amatius who, after his manumission by his owner, took the name of the latter to which, in the usual fashion, he added his own: C. Amatius C. l. Herophilus.[146]

Anyway, we are told that while Caesar was away campaigning against Pompeians in Spain the imposter was very successful in recruiting supporters and that, thanks to his Marian descent, he won extensive popular acceptance.[147] Many cities, in particular veteran colonies, are supposed to have made him their patron.[148] According to Cicero and, indeed, Octavian,[149] Caesar always kept him at arm's length. But Caesar was Marius' nephew; and a descendant of Marius could always make himself out to be a relative of the Dictator and, in his wake, attempt to gain political advantage.[150] On his return from Spain, Caesar was forced to experience how much popularity the 'pseudo-Marius' (Appian's name for him) had won in Rome in a very unpleasant manner during his absence. On the day that the Dictator threw open his gardens to the public the imposter put in an appearance nearby and won almost as much attention as did Caesar with his grand gesture.[151] This made the Dictator think, and he abruptly banished him from Italy.[152]

On Caesar's death, Marius' 'grandson' saw a chance to revive his fortunes. He returned to Rome[153] to play the avenger of the murdered Dictator,[154] erecting an altar on the spot where Caesar's body had been cremated.[155] This was a powerful piece of theatre, by which he regained the attention of the Roman public. He is then said to have gathered together a band of thugs, with whose aid he intended to hunt down Caesar's killers.[156] It was even claimed that he had it in mind to wipe out the whole Senate.[157] This must be a gross exaggeration, but he seemed dangerous enough to those holding the reins of power for in April 44 Mark Antony, with the agreement of his fellow consul, Dolabella, had him summarily arrested and executed without trial.[158]

This imposter had at first used his fictional identity to carve out a position for himself in the political life of the collapsing Republic, becoming an avenger only accidentally, after the assassination of Julius Caesar. His case demonstrates a type of vengeance inspired purely by feigned indignation at an act of injustice. His rapid reversal of thinking, to exploit the avenging of Caesar for his own ends and make it the basis of his own bid for power, proves that he had a keen political instinct. It was this which enabled him, as executor of the wishes of the people, unerringly to press for the deification of the Dictator and thereby appeal to the political sentiments of his supporters. Meanwhile, Mark Antony, as he did by unhesitatingly arranging the destruction of the false Marius, consistently represented the position of those

interests in the Senate that wished to stop Caesar being declared divine.[159] It is worth pointing out that in the end the work of the pretender was completed by Octavian, who made much of the appearance of a comet (*sidus Iulium*) in July 44 BC as the sign of Caesar being accepted among the gods.[160] Octavian's achievement demonstrates, as already suggested, Amatius' shrewd understanding of the political tides.

In 32 BC one Trebellius Calca won attention by claiming that he was no less a person than P. Clodius Pulcher who 20 years before had, contrary to all reports, escaped Milo's bully-boys.[161] The population of Rome showed itself very receptive to his story. When he went to court to plead for the restitution of 'his' property the public was sympathetic. Unmoved, the judge rejected his petition. Though, unfortunately, we have available only the brief account of Valerius Maximus, the essential elements of the course of events are fairly clear. The setting is, once more, a capital disturbed by political unrest. The trickster took on the role of a symbol of the *populares*, which won him public support. Although his motives are unknown, we may be certain that his aims were not limited to taking control of Clodius' property: name and wealth were a basis for political agitation. The people of Rome probably supported him in the vague hope that he might reward them with corn doles or other treats. And he sought to exploit the desire for revenge on the part of Clodius' supporters for his own political ambitions.

The first point of note resulting from consideration of these three cases derives from their chronology. All three troublemakers were from the last two generations of the Roman Republic. The absence of similar occurrences in earlier periods of Roman history need not be an artefact of the source material but may be interpreted as a sign that the crisis of the Late Republic, with its particular emphasis on individual men of power, provided the ideal conditions for political gerrymandering of this sort. Equally specific appears to have been the choice of personation. That the first claimed to be a son of Tiberius Gracchus, the second a grandson of Marius and the third Clodius, defines their common political platform. Tiberius Gracchus, Gaius Marius and Publius Clodius were linked by a strategy of popular action (*populariter agere*), by a political agenda characteristic of *populares*, and – by virtue of these agenda – by a remarkably staunch set of adherents at the core of whom was the *plebs urbana*.[162] The three imposters were linked by the attempt to use the explosive strength of the desire for revenge which had developed among the urban poor following the ruination of prominent popularist politicians to win support for themselves in their battle for political power.

Of course we cannot overlook the fact that in the end none of the three succeeded with the tale he had spun for himself. In this respect they were all no more than chancers. But they lasted for too long and achieved too much for us to dismiss them as simple madmen. Tiberius Gracchus' 'son' managed to get as far as the tribuneship; for a while Marius' 'grandson' convinced

Cicero of his identity and after Caesar's murder acted as his avenger; and 'Clodius' was able to press a legal case as a result of which, if he had won it, he would have been recognised as the authentic Clodius. Finally, the relative frequency of instances of this *modus operandi* shows that the assumption of a false identity could, despite the risks involved, be one way of gaining political influence.

7 Conclusion

Detailed description and analysis of individual cases allows us to investigate the events of each, its historical circumstances and the literary strategy of those who reported it. It also prevents the special features of each case from being obscured by the general aim of this chapter, taken up again below, which is to identify avenger types by means of an overall survey of their common traits.

Looking first at causation and motivation, we see that in all the cases brought together here the basic stimulus was the succumbing of political leaders to political murder. Victims of such assassination were Tiberius Gracchus, Clodius and Julius Caesar, men of strong personality who had brought about the polarisation of the struggle between *populares* and *optimates*. Political victims, too, were Alexander, son of Herod, Agrippa Postumus and Drusus, all killed for dynastic reasons. Finally, there were rulers such as Ptolemy of Mauretania and Polemon II of Pontus. The latter was of course deposed rather than killed, but in political terms this amounted to much the same thing. Nero's suicide also belongs in this category, since it was a means of avoiding the violent death he would have inevitably suffered at the hands of his political enemies. All victims of political coups had numerous adherents, who contemplated revenge and who were ready to some extent even to resort to force in support of avengers of their fallen patrons.

Thus vengeance was, as a natural reaction against political revolution, the principal motive of the agitators considered here. But the overwhelming impression of our sources is one of common bandits, interested only in upheaval, power and booty. However, this is just a consequence of the character of the texts, which describe events from a semi-official, legalistic viewpoint, reflecting the attitude of the 'winners', i.e., that of Herod, not Alexander. From this perspective, avengers were seen as common criminals, to whom no higher motives could be ascribed. The sole exception was Clemens, avenger of Agrippa Postumus, to whom Tacitus showed a certain sympathy, albeit out of dislike for Tiberius rather than regard for the slave.

Freed from such misrepresentations, our material allows us to divide avengers into two main groups, the one merging into the other. The first comprises instances of probably authentic vengeance, i.e., ones in which the overriding motive was personal avenging of the victim of a political coup or assassination by one of his close associates. To this group belong five or six

individuals: Clemens, the avenger of Agrippa Postumus; the anonymous avenger of Drusus; probably, the person behind the false Alexander as the avenger of Herod's son; Aedemon, avenger of king Ptolemy of Mauretania; and, perhaps, the first false Nero as avenger of the real emperor. As we saw, particularly in respect of Aedemon and Anicetus, in none of these cases can we reckon on straightforward altruism, and we must suppose instead a combination of pure vengeance and personal interest. We cannot be sure of the extent of the role played by selfless revenge. Even in the cases of 'Agrippa Postumus' and 'Drusus' it cannot be ruled out that Tacitus emphasised the motive of vengeance only to establish his criticism of Tiberius more firmly.

Without necessarily wholly denying the sincerity of their desire for vengeance, a personal motive may be imputed in particular to avengers who were royal or imperial slaves or freedmen. On the death of their masters it was they most of all who had cause to fear the loss of their position as favourites, which to a certain degree also made them avengers on their own account. Quite apart from the attention which they attracted, it could have been their defence of their privileged status at court which explains why the phenomenon of the servile avenger is reported so frequently of royal or imperial slaves and freedmen.

The second group comprises cases where vengeance is just a means to an end. It differs from the first group only insofar as that those who belong to it put personal interest before pure vengeance. In it are rabble-rousers who, by virtue of the absence of any recognisable personal link to the victim of violent death, are not obviously motivated by pure vengeance. It is characterised, however, by the fact that its members deliberately appealed to the lust for vengeance among the political supporters of the respective victims, making such a desire on the part of third parties an instrument of their own political ambition. Under this heading belong another five or six examples: Equitius, 'son' of Tiberius Gracchus; Amatius, 'grandson' of Marius; Trebellius Calca, who masqueraded as Clodius; and the second and third false Neros.

After revenge as the initial motive of the imposters, we can identify their common aim as the usurpation of political power – be this, according to their time and the circumstances in which they found themselves, republican, imperial or royal.

The question of their identity can be answered in 11 of the 13 cases considered. Only the false Drusus and the third false Nero are completely unknown. Taking what the sources say about them at face value, 9 of the 13 – Equitius, Amatius, Clemens, Herod's purported son, Simon, Aedemon, Anicetus, Geta and the first false Nero – were slaves or freedmen. In the first two instances this is open to some doubt, since there is a suspicion that these two troublemakers were called slaves in order to belittle them. Trebellius Calca (the false Clodius) and Terentius Maximus (the second false Nero) may be seen as freemen. From this it can be confirmed that, though people of various social classes were moved to assume a false identity, the majority

were, as Valerius Maximus put it, 'of the lowest birth'. The explanation for this lies in the especially intimate relationship between masters and slaves, which programmed slaves in general, and slaves of rulers in particular (whose privileged status was directly bound up with the political fate of their masters), to become the avengers of their owners.

Our sources locate the following of the imposters for the most part among those who had come down in the world: adventurers, subversives, deserters and runaway slaves – in short, among the scum of society. In line with the elitist viewpoint of senatorial historiography, this also included the *plebs urbana*, which had given support to the three agitators of the late Republic. Insofar as these reports peter out in such mass categorisation, they have little to offer that is solid regarding the real background of the respective adherents. Since, by and large, our authors take a semi-official line in what they say, they are inclined to caricature those who followed pretenders in order to criminalise and marginalise them. Whatever their social background, they are condemned by their having supported a political gambler. The false Agrippa is an exception here since, according the Tacitus, he eventually counted senators and equestrians among his backers. However, given Tacitus' clear authorial strategy at this point, this report is suspect. The false Alexander enjoyed the backing of whole population groups and of civil and military officials. Evident in this case, and likely elsewhere, pretenders of this type collected around themselves followers from every level of society. Thus, however different may have been the motives of their individual supporters, they were all bound together by the opportunity to express protest against a current regime, i.e., to practise political resistance.

In the event, although no imposter precipitated a new political crisis or even dramatically aggravated one that was already in existence, the ways in which the authorities they challenged reacted were distinguished by wavering helplessness more than by firm decision. The regular workings of the state could do nothing against the false Gracchus: he was, on the contrary, like his supposed father, killed in a riot. Mark Antony had 'Marius' grandson' executed without trial. Tiberius dared not proceed openly against the false Agrippa Postumus, but to avoid a public fuss had him done away with by covert methods. The first false Nero evidently stirred up so much unrest that, as proof of his death, his head was put on a stake and exhibited in Rome. There was never an immediate or smooth settlement of the situation. The imposters had known only too well how to exploit the potential for protest of politically discontented groups.

Reduced to a common denominator, the avengers discussed here appear as a typical phenomenon of political crisis under the late Republic and the early Empire. Their designation as *latrones*, and that of their followers as gangs hungry for booty, should therefore be seen as political invective.

8

CONCLUSION

The 'common' and the 'noble' bandit as literary stock themes

Over the preceding seven chapters I have attempted to analyse all available prosopographical material concerning *latrones* in order to determine who the Romans considered to be a bandit, and why they did so. Such analysis has enabled me to observe that, while Roman writers report run-of-the-mill banditry only in exceptional circumstances, they make very frequent metaphorical use of the concept. This suggests a definite purpose. Taken in conjunction with a specific convention of Roman historiography, that 'it is not fitting to spin out a history with insignificant details' (Ammianus 27.2.11: *nec historiam producere per minutias ignobiles decet*), it confirms the suspicion voiced at the start of this volume and developed as its theme: that the Roman writers' *latro* should be regarded not as a social type but as a literary *topos*. In other words, the *latro* is a construct, a product of the imagination, characterised by invented traits appropriate to his condition. On this basis, my treatment of his reported appearances has sought primarily to establish the function of the bandit figure in the literary perspective of the authors concerned.

Having confirmed my original proposal to my own satisfaction, I believe that it is possible to finish by presenting a range of important points. This can be done fairly briefly, since I have anticipated my basic thinking in what I have said in my Introduction and in remarks at the end of each chapter.

The *latrones* of the Roman tradition are historical personalities who, by virtue of their social origin, represent the full spectrum of ancient society: slaves and freemen, citizens and foreigners, soldiers and civilians, simple folk and people of high status. No class or group dominates. The servile herdsman who played the robber; the soldier who deserted; the native resistance leader who found himself a guerrilla general; the Republican magistrate who made political enemies; the imperial rival who became a usurper; the slave who avenged his master: all could be treated as *latrones*. Clearly, it was possible for people of every level to descend in the eyes of (the rest) of society to that of the 'bandit'. This broad conclusion is the only one to be drawn from the fact that the term *latro* is applied not just to apolitical thieves and footpads but also, and in particular, in a metaphorical sense to a wide variety

of people acting out of political motivations. Socio-historical research – focussing exclusively on true, apolitical, banditry – fails because of the lack of relevant evidence.

The attempt to categorise Roman *latrones* throws up two different ways of differentiating between them, according to either what they did or how they were seen. The former produces four basic bandit types:

1 'Real' (in terms of criminal law) bandits: generally anonymous, who acquired wealth through robbery with violence or who practised other, but apolitical, crimes against the person;
2 Bandit rebels: famous or infamous, who, as guerrilla commanders heading native rebellions or as leaders of slave rebellions, championed the political aspirations of their people or the social aspirations of their groups;
3 In a wider sense, bandit rivals: either illegitimate rulers who sought to assert the positions they had usurped against legitimate holders of power or those who were made out to be the challengers of such office holders, as their models or mirror images;
4 In a narrower sense, bandit avengers: those who, as self-styled judges, sought satisfaction and justice for victims of dynastic murder, or who used this as an excuse to create their own political power bases.

The latter produces two ideal types:

1 The common bandit: a violent criminal wholly undeserving of respect, in his meanness of mind focussed only on booty and force;
2 The noble bandit: driven by lofty motives, who fights for higher things, such as justice.

As has already been said, while Roman bandits should generally be seen as historical personalities the main contention of this work is that the *latro*, as he has come down to us, is not a social type but a *topos*: a stock theme. This is now the place to explain how the living man became the literary creation.

The use of the term *latro* in respect of any one of the categories of bandits in the first of the above lists (grouping them according to what they did) does not necessarily of itself amount to any distortion and therefore does not make the historical person into a literary figure. Change comes, however, the moment the author concerned sets an historical bandit in one or other of the categories of the second list (of bandits according to how they were perceived). From this point onwards how a bandit is described is characterised by stereotyping, misrepresentation and distortion, as is whichever of the four basic categories he represents by virtue of his deeds. In the course of the literary re-working of historical into literary figures, *latrones* were given

standard recurring characteristics and patterns of behaviour. Thus bandit narratives generally furnish nothing in the way of actual historical events, even (and, indeed, especially) if they are given in the form of a documentary report. All that they offer are projections: views of bandits that are to a great extent stylised and fictitious.

When Roman authors decked out bandits in this way they did not do so entirely arbitrarily. They chose their – generally unchanging – patterns from a repertoire according to their subjects' characteristics, and this choice was made quite independently of what these men actually did: they were allotted – *as* robbers, rebels, rivals or avengers – to one of the two ideal types, comprising either 'common' bandits, exemplifying the morally bad, or 'noble' bandits, exemplifying the morally admirable.

In choosing one or other of these types, an author was guided by the deeper strategy he had in mind in making mention of a *latro*. If he wanted to expose the incompetence of a legitimate office holder – a Republican general or an emperor – he did this very effectively by setting against him as superior opponent a 'noble' bandit – a Viriatus or a Bulla Felix – who was the embodiment of virtue. A variant of this was the conflict in which a bad emperor – Tacitus' Tiberius or Herodian's Commodus – was challenged by a 'common' bandit – a Tacfarinas or a Maternus. Thus both types could serve equally well as challengers of legal authority.

But, of course, an author's choice of ideal type was determined by the impression he wanted to leave on his reader. For example, the opposition of 'good' and 'bad' involved in the confrontation of the state with the 'noble' bandit was a matter of contrast: good existed, albeit on the wrong side. However, in the opposition of 'bad' and 'bad' involved in the struggle between a ruler and a 'common' bandit each evil character reinforced the other and created the picture of a wholly dejected, hopeless and corrupt world.

The quite arbitrary fashion in which a *latro* could be categorised as 'noble' or 'common' is best seen in those cases where a single historical figure was allotted to both types by different authors. The prime example is Spartacus. Florus presents him as the leader of a slave rebellion and therefore as a rebel against the Roman social order, and so naturally characterises him as a 'common' bandit. However, when there is a need to set someone up against so repugnant a representative of the corrupt Roman oligarchy as Crassus, Spartacus can be given some very favourable traits. The result is the, at least partially, sympathetic figure portrayed by Plutarch in his 'Life' of Crassus, probably following Sallust.

Comparison of Viriatus and Tacfarinas also reveals how little the depiction of bandits had to do with reality. If we disregard panegyric of the former and vilification of the latter, a picture emerges of a pair of rebel leaders very similar in terms of intelligence, generalship and charismatic personalities. It was not simply that it did not suit Tacitus to characterise Tacfarinas as a 'noble' bandit. Rather, given his fundamentally pessimistic

outlook on life, he could not let virtue (insofar as he believed it existed) find its embodiment in, of all men, a felon. Other *latrones* found in his works consistently follow the same pattern, the exception being, of course, the false Agrippa Postumus, who bears some features of the 'noble' bandit.

Finally, Bulla Felix and Maternus allow us to perceive the arbitrary nature and remoteness from the truth of the chosen bandit type. If we consider both of them independently of their standard characterisation as, respectively, 'noble' and 'common' bandits, we can agree with J.F. Drinkwater in seeing each as being effectively 'simply a very successful brigand'.[1] Their categorisation results from the tendentious and moralising agenda of their historian.

Of course, the actual practice of creating a literary *latro* out of an historical bandit will have occurred much less systematically and consciously than I have outlined. More people will have been involved than just the sole or minuscule number of authors we rely on for a particular bandit story. The latter could be just the last link in a long chain, which might also include oral tradition. However, strong schematisation is essential for the systematic explanation of the mechanism of transformation. Such explanation is the only way to understand the path from historical to literary figure, and the only way to prevent highly stylised bandit types from being used unthinkingly as proof of the existence of models, such as that of the 'social bandit', generated by modern theorising.

Those who disagree with the idea of the bandit as a purely literary figure, above all the champions of the social bandit, are bound to ask why a 'noble' bandit could not have existed. Why should we rule out the possibility that life in Bulla Felix's band may have been as Cassius Dio described it? In my view, the answer to this lies in the fact that the unvarying uniformity in characteristics and behaviour attributed to Roman *latrones* goes against all human experience. These *latrones* appear as the embodiment of ideal types, perfect manifestations of theoretical constructs, which never have existed and never will exist. Even the personal traits which make up these types seem, in their occurrence in this context, so exact and so over drawn as to be not those of living beings but those of literary characters. I reiterate what I have said about the relationship between fiction and historiography: (especially) when it came to dealing with bandits Roman historians became novelists; but when real novelists wrote about bandits they did not turn into social historians.

It remains to determine the authorial strategy involved in the two ideal bandit types. In terms of the image which an author aims to conjure up for his readers, these – both the 'noble' bandit, whose virtues make him almost a messianic figure, and the 'common' bandit, the embodiment of all evil – represent disparate categories. The common bandit is a relatively conventional figure operating, as a rapacious, cruel, dominating and unscrupulous man of violence, completely within a common framework of expectations. The

noble bandit is, in contrast, much less of a known quantity and, therefore, also a much more complex figure. That readers find the stories of Viriatus or Bulla Felix more interesting than those of Tacfarinas or Maternus derives from the counter-intuitive nature of the depiction of the 'noble' bandit. At the mention of 'bandit', ancient, like modern, readers anticipated grim exposés of the misdeeds of common, despicable thugs. It came as a shock to them to find that the noble bandit had such thuggish traits only superficially, if at all. In other words, the noble *latro* exploded the common preconception of the bandit, and it was this that made him such a fascinating figure. Under close examination, he even showed himself as the embodiment of the highest ideals of Roman society: as a warrior, valiant, strong and invincible; as a leader, wise, just and stern or merciful as the occasion demanded; as a patron, reliable, loyal and generous. He was the very quintessence of the ideal ruler – and showed himself openly as such when, as in the case of Bulla, he adopted the imperial title of *felix*. In this way he advertised and exploited qualities on which he, as a bandit, had no proper claim: qualities which his opponent should possess, but did not. This made him a threat to the current ruler, made him his rival.

The strong features and dazzling aura of the noble bandit marked him out from his opponent, whom he faced with apparently limitless superiority. As long as his opponent fought fair, he was invulnerable. It was only when treachery was brought into play that he could be beaten. And even in the moment of defeat he showed himself to be his opponent's moral superior. These opponents – always legitimate representatives of the state: in the case of Viriatus, Roman generals; in those of Bulla Felix or the false Agrippa Postumus, Roman emperors – fade into insignificance.

In a world where the bandit is the embodiment of good, the state that of evil, traditional basic values are reversed. The 'world turned upside down' was another literary theme popular in Antiquity,[2] the characteristics of which have been concisely summarised by Gerhard Baudy:

> Elements change places; power is seized by false gods; in various cities and among various peoples illegitimate rulers establish reigns of terror; the natural relationships between masters and men, natives and foreigners, men and women, old and young are turned on their heads. But instead of the unwelcome opposite of hoped-for normality the 'world turned upside down' can also be used to express an opposing ideal, criticising contemporary society or just sketching out an escapist alternative to disagreeable reality.[3]

The noble bandit fits all this like nothing else. As we have seen in numerous examples above, as ideal ruler, skilled general and benevolent patron he represents 'an opposing ideal'. The notion of the just society of his band as the other, better, state is nothing less than 'an escapist alternative

to disagreeable reality'. This other, better state existed, of course, only in the imagination of Roman writers and their readers. And the *latro* was no more than an imaginary character in this imaginary state, a character who had never actually drawn breath, a myth.

NOTES

INTRODUCTION

1 Cf. for the Greco-Roman period the introductory and methodological contributions of I. Weiler, H. Grassl and A. Bellebaum in *Soziale Randgruppen und Außenseiter im Altertum*, ed. I. Weiler, Graz 1988, 11ff.; 41ff.; 47ff.

2 See for example C. Küther, *Räuber und Gauner in Deutschland. Das organisierte Bandenwesen im 18. und frühen 19. Jh.*, Göttingen 1976. U. Danker, *Räuberbanden im Alten Reich um 1700. Ein Beitrag zur Geschichte von Herrschaft und Kriminalität in der Frühen Neuzeit*, Frankfurt-am-Main 1988. N. Finzsch, 'Räuber und Gendarme im Rheinland: Das Bandenwesen in den vier rheinischen Départements vor und während der französischen Verwaltung (1794–1814)', *Francia* 15, 1987, 435–71. Idem, *Obrigkeit und Unterschichten. Zur Geschichte der rheinischen Unterschichten gegen Ende des 18. und zu Beginn des 19. Jahrhunderts*, Stuttgart 1990. M. Spicker-Beck, *Räuber, Mordbrenner, umschweifendes Gesind. Zur Kriminalität im 16. Jahrhundert*, Freiburg 1995. H. Siebenmorgen, ed., *Schurke oder Held? Historische Räuber und Räuberbanden* (= Catalogue of the exhibition in the Badisches Landesmuseum Karlsruhe, 1995/96), Sigmaringen 1995 (with full bibliography).

3 Amm. 27.2.11 (*nec historiam producere per minutias ignobiles decet*).

4 This approach, with its unavoidable limitations, has for example been attempted in the studies of Guenther, *Latrocinium*, and Minor, *Brigand*, Ch. 1.

5 On the problem of the fragmentary source tradition, particularly in respect of the history of crime, see K.S. Bader, 'Aufgaben, Methoden und Grenzen einer historischen Kriminologie', *Schweizerische Zeitschrift für Strafrecht* 71, 1956, 17–31, criticising G. Radbruch, H. Gwinner, *Geschichte des Verbrechens. Versuch einer historischen Kriminologie*, Stuttgart 1951, repr. 1990 (also Th. Würtenberger, *ZRG* Germ. Abt. 69, 1952, 479ff.). Given the poor sources, Bader was pessimistic about the future of historical criminology (p. 25: 'basically, all we know about the extent of crime in, say, the Middle Ages, is incomplete and, at best, symptomatic and paradigmatic'; p. 28: 'common and petty misdemeanours, generally more important for gaining a good idea of what was going on overall than recurrent major crime, are frequently ignored'). Bader refers here only to the medieval and early modern periods, apparently believing that ancient crime defies scientific investigation.

6 A similar complexity is encountered in English, in the use of 'robber' as a synonym for 'bandit', although in colloquial speech its force is much less strong. In the following I employ the latter as far as possible in order to retain its violent connotations. (Translator)

7 E.A. Thompson, 'Peasant revolts in late Roman Gaul and Spain', *P&P* 2, 1952, 11–23; on this cf. also pp. 128–32, and the references to the work of J.F. Drinkwater and L. Okamura. Minor, *Brigand*. Van Dam, *Heretics, Bandits and Bishops*. Van Campen,

Latrocinium. On late antique *latrones* cf. also L. Callegari, *Ricerche sul brigantaggio in Ammiano Marcellino*, Padua diss. (Istituto di Storia Antica 1978/79) (not available to me). A. Giardina, 'Banditi e Santi: Un aspetto del folklore Gallico tra Tarda Antichità e Medioevo', *Athenaeum* 61, 1983, 374–89. H. Heinen, 'Von Räubern und Barbaren in den Alpträumen des Ausonius (*Ephemeris* 8, 14–15, ed. Peiper)', in M. van Uytfanghe, R. Demeulenaere, eds, *Aevum inter utrumque. Mélanges offerts à G. Sanders*, The Hague 1991, 227–36.

8 Pohl, *Piraterie*. Cf. now also St Tramonti, *Hostis communis omnium. La pirateria e la fine della repubblica romana* (*145–33* AC), Ferrara 1994.

9 *Thesaurus Linguae Latinae*, vol. VII, Leipzig 1934, 1014–17, *s.v.* latro.

10 For the etymology see Varro, *LL* 7.52:

> *latrones dicti ab latere, qui circum latera erant regi atque ad latera habebant ferrum, quos postea a stipatione stipatores appellarunt atque qui conducebantur: ea enim merces graece dicitur* latron. *Ab eo veteres poetae nonnumquam milites appellant latrones, quod item et milites cum ferro aut quod latent ad insidias faciendas*.

Fest. p. 105 Lindsay: *Latrones antiqui eos dicebant, qui conducti militabant,* apo tes latreias. Serv. *Aen*. 12.7: *latronis insidiatoris, a latendo; sed modo venatoris. Et est graecum: nam* latreuein *dicunt obsequi et servire mercede, unde latrones vocantur conducti milites*. On this cf. the entry for *latro* in: A. Walde, J.B. Hofmann, *Lateinisches etymologisches Wörterbuch*, Bd. I, Heidelberg 1982[5], 771f.; A. Ernout, A. Meillet, *Dictionnaire étymologique de la langue latine*, Paris 1985, 343f.; R. Maltby, *A Lexicon of Ancient Latin Etymologies*, Leeds 1991, 329f. G. Steinmayr, 'Sviluppi semantici della base latro', *AMAV* 1955/56, 151–63, esp. 155. A. Milan, 'Ricerche sul latrocinium in Livio I: Latro nelle fonti preaugustee', *AIV* 138, 1979–80, 171–97. Shaw, 'Bandits' 24–8. D. Timpe, 'Das Kriegsmonopol des römischen Staates', in W. Eder, ed., *Staat und Staatlichkeit in der frühen römischen Republik*, Stuttgart 1990, (368–87) 372 n. 10.

11 For a full catalogue of references, in particular in Plautus and Ennius, see Milan, 'Ricerche' (n. 10), 17ff.

12 E.g., Diod. 5.11.1, on Carthaginian troops in Sicily.

13 Polyb. 1.7.1ff.; Diod. 21.16.; App., *Samn*. 9.2.; Plut., *Pyrrh*. 23.1ff.; Dio frg. 40.8. G. Tagliamonte, *I figli di Marte. Mobilità, mercenari e mercenariato italici in Magna Graecia e Sicilia*, Rome 1994. Cf. also L.P. Marinovic, *Le mercenariat grec au IV[e] siècle avant notre ère et la crise de la polis*, Paris 1988.

14 Shaw, 'Bandits' 28: 'private men of violence'.

15 Dio 55.28.1–3. (Trans. Cary, Loeb)

16 Amm. 26.1.1:

> *et similia plurima praeceptis historiae dissonantia discurrere per negotiorum celsitudines assuetae, non humilium minutias indagare causarum, quas si scitari voluerit quispiam, individua illa corpuscula volitantia per inane, atomos, ut nos appellamus, numerari posse sperabit.*

(Trans. Rolfe, Loeb) Cf. Amm. 27.2.11: *nec historiam producere per minutias ignobiles decet*; 31.5.10: *rerum summitates*. Tac., *Hist*. 2.50.2. *HA*, Quadr. tyr. 12.6. Lucian, *Hist. Conscr*. 28.

17 Lucian, *Alex*. 2. Stein, *s.v.* Tillorobus, *RE* VI A, 1937, 1041. Van Hooff, 'Ancient Robbers' 121. Lucian, in his sketch on Alexander, the 'false prophet', mentions that his contemporary, Arrian, had written a biography of the bandit Tillorobos. This piece has not come down to us, and there is no mention of it in the extant works of Arrian. Why Arrian should have chosen to write on such a theme and what line he took in developing it are unknown. As to when Tillorobos flourished, some clues may be available in Arrian's own dates: it is reasonably probable that both men belonged to the same or similar generations, which takes us to the mid-second century. The honouring of a bandit with an account of his (mis-)deeds was rare in

Greco-Roman literature. It seems as if Tillorobos' activities made him generally well-known, at least in Asia Minor, and gained him the attention of contemporary observers. The absence of other references to him in the sources may be due to the fragmentary nature of what we know about the high imperial period. If that portion of Cassius Dio's 'History' concerning the second century had survived in a more complete state, we might well have had in it some reference to Tillorobos. As far as his name is concerned, some mss. have the variant 'Tilloboros', which is also found in *MAMA* IV 190. Tacitus, *Ann.* 12.55 has a Troxoboris (or Troxobores) in Rough Cilicia in 52 BC. There is nothing to support Stein's suggestion (*RE* VI A, 1041) that both are the same person. An L. Claudius Tillorobus occurs in *CIL* VI 15295 as the dedicant of a gravestone to his freedman, Diadumenus.

18 Aug., *Civ.* 4.4.: *Quia et latrocinia quid sunt nisi parva regna? Manus et ipsa hominum est, imperio principis regitur, pacto societatis astringitur, placiti lege praeda dividitur.* (Trans. Green, Loeb)

19 Cic., *Off.* 2.40: . . . *ut ne illi quidem, qui maleficio et scelere pascuntur, possint sine ulla particula iustitiae vivere.* (. . .) *Quin etiam leges latronum esse dicuntur, quibus pareant, quas observent*; cf. *Parad.* 27.

20 Dio 36.22.4.

21 See R. Ziegler, 'Die Historia Apollonii Regis Tyri und der Kaiserkult in Tarsos', *Chiron* 14, 1984, 219–34.

22 On the genre cf. E. Rohde, *Der griechische Roman und seine Vorläufer*, Leipzig 1914[3] (repr. Hildesheim 1960). G. Anderson, *Ancient Fiction: The Novel in the Graeco-Roman World*, London 1984. B.P. Reardon, The Second Sophistic and the novel, in: G.W. Bowersock, ed., *Approaches to the Second Sophistic*, Pennsylvania 1974, 23–9. T. Hägg, *Eros und Tyche. Der Roman in der antiken Welt*, Mainz 1987. H. Kuch, *Der antike Roman. Untersuchungen zur literarischen Kommunikation und Gattungsgeschichte*, Berlin 1988. J.R. Morgan, R. Stoneman, ed., *The Greek Novel in Context*, London 1994. G. Schmeling, ed., *The Novel in the Ancient World*, Leiden 1996.

23 Heliod. 1.19.2.

24 Ibid. 5.20.7.

25 Cf. Rohde, *Roman* (n. 22), 116ff.

26 F. Millar, 'The world of the Golden Ass', *JRS* 71, 1971, 63–75. A.M. Scarcella, 'Les structures socio-économiques du roman de Xénophon d'Éphèse', *REG* 90, 1977, 249–62. J.R. Morgan, 'History, romance and realism in the Aithiopika of Heliodorus', *ClAnt* 1, 1982, 221–65.

27 It is for this reason that fictional bandits have received no special attention but rather, in a variety of contexts, are considered in company with their respective historical counterparts.

28 Eus., *Hist.Eccl.* 5.18.6; 9.

29 Basic here is E. Burck, 'Grundzüge römischer Geschichtsauffassung und Geschichtsschreibung', *GWU* 25, 1974, 1–40.

30 Dio 76.10.5. (Trans. Cary, Loeb) Cf. below, p. 116.

31 G. Humbert, *s.v.* Latrocinium, *DS* III, 1902, 991f. R. Kleinfeller, *s.v.* grassatores, *RE* VII, 1912, 1829f. G. Pfaff, *s.v.* latrocinium, *RE* XII, 1925, 978–80. H. Fiehn, *s.v.* Straßenraub, *RE* IV A, 1932, 171f. H. Düll, G. Mickwitz, *s.v.* Straßenraub, *RE* Suppl. VII, 1940, 1239–44. G. Barbieri, *s.v.* Latrones, *DE* IV, 1947, 460–6. L. Friedländer, *Darstellungen aus der Sittengeschichte Roms in der Zeit von Augustus bis zum Ausgang der Antonine*, rev. G. Wissowa, Bd. I, Leipzig 1922[10], 352–9. M. Hengel, *Die Zeloten. Untersuchungen zur jüdischen Freiheitsbewegung in der Zeit von Herodes I. bis 70 n. Chr.*, Leiden – Cologne 1961, 26ff.

32 Guenther, *Latrocinium*. Cf. already A.D. Dimitrev, 'Bandit-revolts as a form of class-warfare in the Roman Empire' (in Russian), *VDI* 1951/4, 61–72.

33 MacMullen, *Enemies*.

34 R. MacMullen, 'The Roman concept robber – pretender', *RIDA* 10, 1963, 221–5.
35 Bellen, *Sklavenflucht* 143ff. and *passim*.
36 Hoben, *Terminologische Studien*; on this, see below pp. 58–9.
37 Herz, '*Latrocinium* und Viehdiebstahl'. Cf. also R. Rilinger, *Humiliores – Honestiores. Zu einer sozialen Dichotomie im Strafrecht der römischen Kaiserzeit*, Munich 1988, 249ff. (concerning *abigeatus* in connection with 'imperial constitutions dealing with unusual crimes'). Drexhage, 'Einbruch, Diebstahl und Straßenraub'. Drexhage, 'Eigentumsdelikte'; cf. below pp. 25–31. P. Herz has also now published an article on piracy in the imperial period: 'Kampf den Piraten? Zur Deutung zweier kaiserzeitlicher Inschriften', *ZPE* 107, 1995, 195–200; see also below pp. 17–25.
38 Pekáry, *Seditio*; see also below pp. 17–25.
39 Sünskes Thompson, *Aufstände*.
40 Hobsbawm, *Bandits*. Cf. also E. Hobsbawm, *Primitive Rebels. Studies in Archaic Forms of Social Movements in the 19th and 20th Centuries*, Manchester 1959, 1971[3].
41 On the figure of Robin Hood (its historicity and what has been made of it in literature) cf., for example, W.E. Simeone, 'Robin Hood and some other outlaws', *Journal of American Folklore* 71, 1958, 27–33.
42 Cf. the exhibition catalogue cited in n. 2.
43 Cf. the works of R. Horsley, referred to on p. 92.
44 It seems to me that a typical product of this thinking is to be found in the chapter on 'L'esclave et la révolte' in Dumont, *Servus* 161ff.; more realistic is Bradley, *Slavery and Rebellion*. This is further examined in Ch. 3.
45 Shaw, 'Bandits'. Shaw, 'Der Bandit'. Shaw, 'Tyrants, bandits and kings'.
46 A similar sketch is offered by L. Flam-Zuckermann, 'À propos d'une inscription de Suisse (CIL, XIII, 5010): étude du phénomène du brigandage dans l'Empire romain', *Latomus* 29, 1970, 451–73.
47 Shaw, in his treatment of selected *latrones* (e.g., Bulla Felix and Maternus, 44ff.; see below Ch. 6), gives due thought to the question as to the historicity of each of these and their probable elaboration at the hands of the sources (e.g., 46: ' . . . almost completely dismissable as empirical fact'; 48: 'But there are too many other purely ideological elements in "the facts" to make the stories dependable in their entirety as empirical facts'). However, in his general conclusions, cited here, such qualifications remain, as it were, unremarked. What he says is again basically the same criticism as the one which can be levelled against Hobsbawm's social bandit, which is the conceptual basis of his own 'Bandits'.
48 A.J.L. van Hooff, 'Latrones famosi', *Lampas* 15, 1982, 171–94. Van Hooff, 'Ancient Robbers'.
49 Van Hooff, 'Ancient Robbers' 105, n. 7.
50 Ibid. 105.

1 REAL BANDITS

1 I. Opelt, *Die lateinischen Schimpfwörter und verwandte sprachliche Erscheinungen. Eine Typologie*, Heidelberg 1965, 131.
2 For this see J.L. Breitenbach, *Das Verbrechen des Raubes nach römischem Recht*, Munich 1839. Th. Mommsen, *Römisches Strafrecht*, Leipzig 1899, 629 n. 3; 660. M. Balzarini, *Ricerche in tema di danno violento e rapina nel diritto romano* (Pubbl. della Facoltà di Giurisprudenza dell'Univ. di Padova, 54), Padua 1969.
3 'An aggravated form of theft that involves violence or the threat of violence against the victim in his presence.' (*Encyclopaedia Britannica*, 1998)
4 From the many relevant references I cite only Ulpian's conclusion at *Dig*. 47.9.3.5: *Aliud autem esse rapi aliud amoveri aliquid, etiam sine vi possit, rapi autem sine vi non*

potest. Concerning the relationship between theft and robbery cf. H. Niederländer, 'Die Entwicklung des furtum und seine etymologischen Ableitungen', *ZRG* 67, 1950, 185–260, esp. 228ff.

5 E.g., Tryph. *Dig.* 16.3.31.1: . . . *exempli loco latro spolia quae mihi abstulit posuit apud Seium* etc. Ulp. *Dig.* 17.2.54.4: . . . *alter ex his ad merces comparandas profectus in latrones incidit suamque pecuniam perdidit* etc.

6 Call. *Dig.* 48.19.28.10:

> *Grassatores, qui praedae causa id faciunt, proximi latronibus habentur. Et si cum ferro adgredi et spoliare instituerunt, capite puniuntur, utique si saepius atque in itineribus hoc admiserunt: ceteri in metallum dantur vel in insulas relegantur.*

7 Marc. *Dig.* 48.19.11.2.

8 Call. *Dig.* 48.19.28.15:

> *Famosos latrones in his locis, ubi grassati sunt, furca figendos compluribus placuit, ut et conspectu deterreantur alii ab isdem facinoribus et solacio sit cognatis et adfinibus interemptorum eodem loco poena reddita, in quo latrones homicidia fecissent: nonnulli etiam ad bestias damnaverunt.*

9 Seneca, *De ira* 3.19.2:

> *Cum latrocinia tenebris abscondi soleant, animadversiones quo notiores sunt plus in exemplum emendationemque proficiant.*

10 Suet. *Calig.* 30.2:

> *qui postularent, Tetrinios esse.*

11 Modest. *Dig.* 49.1.6 pr.:

> *Constitutiones, quae de recipiendis nec non appellationibus loquuntur, ut nihil novi fiat, locum non habent in eorum persona, quos damnatos statim puniri publice interest: ut sunt insignes latrones vel seditionem concitatores vel duces factionum.*

12 Marc. *Dig.* 48.13.4.2; cf. Call. *Dig.* 48.19.27.2. On this see Bellen, *Sklavenflucht*, 13f. and n. 66. Van Hooff, 'Ancient Robbers' 107.

13 Ulp. *Dig.* 4.3.1.3. For *dolus bonus* cf. A. Wacke, 'Circumscribere, gerechter Preis und die Arten der List', *ZRG* 94, 1977, (184–246) 221ff.

14 In the case of Cn. Domitius Corbulo, who in AD 46 brought down Gannascus of the Canninefates by deception, Tacitus emphasises that the use of trickery against a deserter and a violator of his faith was not dishonourable (*Ann.* 11.19.2: *nec inritae aut degeneres insidiae fuere adversus transfugam et violatorem fidei*). Gannascus was a renegade Roman auxiliary who, with Chaucian vessels, had undertaken plundering raids along the Gallic coast.

15 Gai. *Dig.* 9.2.4 pr. Coll. 10.7.4 = Paul. *Sent.* 2. On this cf. A. Wacke, 'Notwehr und Notstand bei der Aquilischen Haftung. Dogmengeschichtliches über Selbstverteidigung und Aufopferung', *ZRG* 106, 1989, 469–501.

16 Marc. *Dig.* 47.16.1 pr. Saturn. *Dig.* 48.19.6 pr.

17 Menand. *Dig.* 49.16.5.8.

18 For this formulation, reconstructed from the edict of the praetor Lucullus of 76 BC, see the study of U. Ebert, *Die Geschichte des Edikts de hominibus armatis coactisve*, Heidelberg 1968.

19 Pompon. *Dig.* 50.16.118 pr.:

> *'Hostes' hi sunt, qui nobis aut quibus nos publice bellum decrevimus: ceteri 'latrones' aut 'praedones' sunt.* Cf. Ulp. *Dig.* 49.15.24 pr.: *Hostes sunt, quibus bellum publice populus Romanus decrevit vel ipso populo Romano: ceteri latrunculi vel praedones appellantur.*

A distinction between *bella* and *latrocinia* is also drawn by Seneca in his consolation for Marcia (*Ad Marc.* 18.8).

20 Mommsen, *Strafrecht* (n. 2), 629, n. 4.

21 Ulp. *Dig.* 32.1 pr.; 49.15.24 pr. Cf. also Marc. *Dig.* 28.1.13 pr.

22 *CIL* XI 4639 = *ILS* 3001 = L. Schumacher, *Römische Inschriften*, Stuttgart 1988, 133f. no. 62. For *defixio* cf. L. Schumacher, *Servus index. Sklavenverhör und Sklavenanzeige im republikanischen und kaiserzeitlichen Rom* (Forschungen zur antiken Sklaverei 15), Wiesbaden 1983, 136–40.

23 J. Bleicken, *Verfassungs- und Sozialgeschichte des Römischen Kaiserreiches*, vol. II^2, Paderborn 1981, 67f. Cf. also M. Rostovtzeff, *Gesellschaft und Wirtschaft im römischen Kaiserreich*, vol. I, Leipzig 1929, 122, and likewise G. Alföldy, *The Social History of Rome,* London/Sydney 1985, for outbreaks of banditry as particular symptoms of crisis (e.g., 173f., 181, 211) and not as everyday occurrences even in periods of tranquillity. In this respect it is telling that in the index to K. Christ's *Geschichte der römischen Kaiserzeit* (Munich 1988) there is no mention of key words such as *latrones*, robbers, bandits and pirates. Likewise, in his text, *latrones* are touched on occasionally – thus 346f.; 364 (Maternus); 609; 614 (Bulla Felix) – but without consideration of the significance of the phenomenon in Roman imperial history.

24 Vell. 2.126.3: *Diffusa in orientis occidentisque tractus et quidquid meridiano aut septentrione finitur, pax Augusta per omnis terrarum orbis angulos a latrociniorum metu servat immunes*. (Trans. Shipley, Loeb) On this cf. G. Alföldy, 'La politique provinciale de Tibère', *Latomus* 24, 1965, (824–44) 826f.

25 Sen. *Clem*. 1.4.2. Phil. *Leg. ad Gai*. 145f.; cf. Flacc. 11. Plin. *Nat*. 14.2. Epict. 3.13.9; cf. 4.1.4; Plut. *Mor*. 469E. Ael. Arist. *Or*. 26.30; 66f.; 70; 100. Veget. 4.31.

26 For the ideology of the *pax Augusta* cf. the works on the Ara Pacis Augustae cited by D. Kienast, *Augustus. Prinzeps und Monarch*, Darmstadt 1982, 199; also Christ, *Kaiserzeit* (n. 23), 169. A. Demandt, *Der Idealstaat. Die politischen Theorien der Antike*, Cologne 1993, 261–5. H.W. Benario, 'Tacitus' view of the empire and the Pax Romana', *ANRW* II 33.5, 1991, 3332–53. E. Dinkler, E. v. Schubert-Dinkler, *s.v.* Friede, *RAC* VIII, 1972, 434–505. G. Woolf, 'Roman Peace', in J. Rich, G. Shipley, eds, *War and Society in the Roman World*, London 1993, 171–94.

27 Pekáry, *Seditio*. The extension to the Severan period is provided by Sünskes Thompson, *Aufstände*; for the late Empire see MacMullen, *Enemies*, Chs V, VI and appendices A, B.

28 For a more sober appreciation see e.g., F. Millar, 'The World of the Golden Ass', *JRS* 71, 1981, (63–75) 66; idem, 'Italy and the Roman Empire: Augustus to Constantine', *Phoenix* 40, 1986, (295–318) 310ff. Drexhage, 'Einbruch, Diebstahl und Straßenraub' 316f. Krause, *Gefängnisse* 24–6; 92–7.

29 Shaw, 'Bandits' 9.

30 Gai. *Dig*. 13.6.18 pr.:

> *in rebus commodatis talis diligentia praestanda est, qualem quisque diligentissimus pater familias suis rebus adhibet, ita ut tantum eos casus non praestet, quibus resisti non possit, veluti mortes servorum quae sine dolo et culpa eius accidunt, latronum hostiumve incursus, piratarum insidias, naufragium, incendium, fugas servorum qui custodiri non solent* etc.

31 On *vis maior* see now U. Doll, *Von der vis maior zur höheren Gewalt. Geschichte und Dogmatik eines haftungsentlastenden Begriffs*, Frankfurt-am-Main 1989; in particular, for the passage of Gaius cited here, see 65ff.

32 Ulp. *Dig*. 17.2.52.3; 19.2.9.4. Paul. *Dig*. 17.1.26.6; 42.5.12.2; Herm. *Dig*. 26.7.5 pr. Maec. *Dig*. 35.2.30 pr. Caracalla, *Cod. Iust.* 4.65.1. Severus Alexander, *Cod. Iust*. 4.24.2; 4.34.1; Diocletian und Maximian, *Cod. Iust*. 5.31.8. Iustinian, *Cod. Iust*. 6.46.6. *Inst. Iust*. 3.14.2.

33 Herm. *Dig*. 26.7.50 pr.

34 Ulpian according to Vivianus, *Dig*. 21.1.17.3 (for the passage see also Bellen, *Sklavenflucht* 40). Paul. *Dig*. 49.16.14 pr.

35 Cf. also Shaw, 'Bandits' 8.

36 Colum. 1.7. Sen. *Benef*. 7.16.3: . . . *qui incendio aut latrocinio aut aliquo casu tristiore aliena cum suis perdidit* (with the same connection between *incendium* and *latrocinium* in *De ira* 3.43.3). Plut. *Mor*. 171E. Eus. *Hist. eccl*. 6.42.2.

37 Sen. *Benef*. 1.5.4:

> *amicum a piratis redemi*; 4.12.2: *latronibus circumventum defendo*; 4.26.1: *nam et sceleratis sol oritur, et piratis patent maria*; 4.35.2: *promisi me peregre exiturum: sed iter infestarii latrociniis nuntiatur*; 5.9.2: *quis umquam laudatus est, quod sibi ipse esset auxilio? Quod se eripuisset latronibus?*; 6.9.2: *ne in piratarum manus pervenirent, quidam naufragio consecuti sint*; 7.15.1: *Ad summam puta, cum captus esses, me* (. . .) *navigasse* (. . .) *per infesta latrociniis litora* (. . .) *tandem ad piratas perveni, iam te alius redemerat; De ira* 1.16.1: *non irascar latroni?*; 2.17.2: *nec latronem oportet esse nec praedam, nec misericordem, nec crudelem: illius nimis mollis animus, huius nimis durus est*.

38 Lucian *Catapl*. 6. Cf. the similar passage in the *Odyssey* (11.397–403), where, in the Underworld, Odysseus enquires of Agamemnon how he met his end, giving various possibilities including death during a cattle raid.

39 Plin. *Epist*. 10.96.7:

> *Adfirmabant autem hanc fuisse summam vel culpae suae erroris, quod essent soliti stato die ante lucem convenire, carmenque Christo quasi deo dicere secum invicem seque sacramento non in scelus aliquod obstringere, sed ne furta ne latrocinia ne adulteria committerent, ne fidem fallerent, ne depositum adpellati abnegarent*.

40 Cypr. *De zelo et livore* 7.130ff. (*CCL* III A p. 79):

> *In adultero cessat facinus perpetrato stupro, in latrone conquiescit scelus homicidio admisso et praedonis rapacitatem statuit possessa praeda et falsario modum ponit impleta fallacia*.

41 Pliny the Younger also distinguishes between *grassatores* and *latrones* (*Paneg*. 34.1):

> *Vidimus delatorum agmen inductum, quasi grassatorum quasi latronum. Non solitudinem illi, non iter sed templum sed forum insederant.*

42 Galen *De anatom. admin*. 3.5 (p. II 386, 17 Kühn).

43 Ulp. *Dig*. 12.4.5.4.

44 Luke 10.25–37. For theological commentary and bibliography on the parable of the Good Samaritan see W. Wiefel, *Das Evangelium nach Lukas* (Theologischer Handkommentar zum Neuen Testament, Bd. III), Berlin 1988, 206–11 and now H. Schürmann, *Das Lukasevangelium. Zweiter Teil, erste Folge: Kommentar zu Kapitel 9.51–11.54* (Herders Theologischer Kommentar zum Neuen Testament, Bd. III 2.1), Freiburg 1994, 125–47.

45 2 Cor. 11, 26 (King James).

46 Plin. *Nat*. 8.144:

> *apud nos Vulcatium nobilem qui Cascellinum ius civile docuit asturcone e suburbano redeuntem, cum advesperavisset, canis a grassatore defendit, item Caelium senatorem aegrum Placentiae ab armatis oppressum, nec prius ille vulneratus est quam cane interempto*.

47 Sen. *De ira* 3.43.3: *Saepe rixam conclamatum in vicinia incendium solvit et interventus ferae latronem viatoremque diducit.*

48 Apul. *Met*. 8.16–18.

49 Juv. 10.19–22: *pauca licet portes argenti vascula puri/nocte iter ingressus, gladium contumque timebis/et motae ad lunam trepidabis harundinis umbram:/cantabit vacuus coram latrone viato.* (Trans. Green)

50 Sen. *Epist*. 14.9: *nudum latro transmittit; etiam in obsessa via pauperi pax est.* (Trans. Gummere, Loeb)

51 Epict. 4.1.91–95.

52 *HA* Hadr. 2.6: . . . *diu detentus fractoque consulte vehiculo tardatus, pedibus iter faciens* etc.

53 *CIL* VIII 2728 + 18122 = *ILS* 5795 (Lambaesis): *profectus sum et in-* | *ter vias latrones sum passus. Nudus saucius e-* | *vasi cum meis*. Since, at ll.15f., we find *Clementem procuratorem conveni*, *CIL* and *ILS* must be mistaken in proposing the writer himself as Clemens. For Varius Clemens cf. *CIL* III 5213f.; 5216 = *ILS* 1362; 1362a; 1362b, for Valerius Etruscus *CIL* VIII 2543; 17854; *ILS* 5351.

54 Cf. esp. Bellen, *Sklavenflucht* 95ff. Krause, *Gefängnisse* 26ff., each with further bibliography.

55 App. *Civ*. 5.132.547. Suet. *Aug*. 32.1.

56 Suet. *Aug*. 32.2; *Tib.* 37.1. Cf. O. Hirschfeld, 'Die Sicherheitspolizei in der römischen Kaiserzeit' (1891) in idem, *Kleine Schriften*, Berlin 1913, (576–612) 591. Bellen, *Sklavenflucht* 95. Shaw, 'Bandits' 34.

57 *CIL* VIII 2494; 2495 (in the vicinity of the Oasis of El Kantara): *burgum Commodianum speculatorium . . . ad salutem commeantium.*

58 *CIL* III 3385 = *ILS* 395: *ripam omnem bu*[*rgis*] | *a solo extructis idem praes*[*i*]- | *dis per loca opportuna ad* | *clandestinos latrunculo-* | *rum transitus oppositis.* Further references in Pekáry, *Seditio* 145. Cf. A. Alföldi, 'Epigraphica IV', *ArchErt* 2, 1941, (40–59) 45 (= *AE* 1944, 95). According to Alföldi the *latrunculi* against whom the *burgi Commodiani* were erected were no ordinary bandits but rather barbarians raiding into the frontier-area. Cf. also J. Fitz, 'Maßnahmen zur militärischen Sicherheit von Pannonia Inferior unter Commodus', *Klio* 39, 1961, 199–214. P. Oliva, *Pannonia and the Onset of Crisis in the Roman Empire*, Prague 1962, 309. F. Grosso, *La lotta politica al tempo di Commodo*, Turin 1964, 487. Bellen, *Sklavenflucht* 102. G. Alföldy, *Noricum*, London 1974, 204f. for *CIL* III 5670a = *ILS* 774, a fourth-century *burgus*-inscription. On *burgi* cf. Veget. 4.10. Isid. *Orig*. 9.4.28. O. Seeck, *s.v.* burgus, *RE* III, 1899, 1066f. G. Behrens, 'Burgi und burgarii', *Germania* 15, 1931, 81–3. L. Ohlenroth, 'Römische Burgi an der Straße Augsburg – Kempten – Bregenz', *BRGK* 28, 1938, 122–56. M. Labrousse, 'Les burgarii et le cursus publicus', *MEFRA* 56, 1939, 151–67. E. Penninck, 'L'origine hellénique de burgus', *Latomus* 4, 1940–45, 5–21.

59 Tert. *Apol*. 2.8: *Latronibus vestigandis per universas provincias militaris statio sortitur*. Cf. A.V. Domaszewski, 'Die Beneficiarierposten und die römischen Strassennetze', *Westdeutsche Zeitschrift für Geschichte und Kunst* 21, 1902, 158–211, and now J. Ott, *Osterburken I: Corpus der griechischen und lateinischen Beneficiarierinschriften des römischen Reiches*, Stuttgart 1990. Idem, *Die Beneficiarier*, Stuttgart 1995.

60 Cypr. *Ad Donatum* 6.117f. (*CCL* III A p. 6): *Cerne tu itinera latronibus clausa, maria obsessa praedonibus, cruente horrore castrorum bella ubique divisa*.

61 By virtue of their *mandata principis* provincial governors were responsible, *inter alia*, for the suppression of *latrones, sacrilegii, mali homines, plagiarii* and *fures*: Ulp. *Dig*. 1.18.13 pr. Cf. also Paul. *Dig*. 1.18.3. Marc. *Dig*. 48.13.4.2. *P. Oxy*. 12, 1408. *BGU* 646. On this see too Bellen, *Sklavenflucht* 13f.; 105 and n. 756. Minor, *Brigand* 40. Krause, *Gefängnisse* 28. Cf. further Juv. 8.121f.

62 *CIL* XIII 5010 = *ILS* 7007; *CIL* XIII 6211. On this see L. Flam-Zuckermann, 'À propos d'une inscription de Suisse (*CIL* XIII, 5010): étude du phénomène de brigandage dans l'empire romain', *Latomus* 29, 1970, 451–73. G. Mangard, 'L'inscription dédicatoire du théâtre du Bois l'Abbé à Eu (Seine-Maritime)', *Gallia* 40, 1982, 35–51. An *agens at* | *latrunculum* operated in Italy in the third century, *CIL* XI 6107 = *ILS* 509, see Th. Mommsen, *Römisches Staatsrecht*, Bd. II 2, 2^3, repr. Graz 1969, 1075, nn. 1–2. Hirschfeld, 'Sicherheitspolizei' (n. 56), 592.

63 Marc. *Dig*. 48.3.6.1: *sed et caput mandatorum exstat, quod divus Pius, cum provinciae Asiae praeerat, sub edicto proposuit, ut irenarchae, cum adprehenderint latrones, interrogent de sociis et receptatoribus* etc. See Bellen, *Sklavenflucht* 103. Cf. also Lib. *Or*. 25.43. Diogmitai: *HA* Marc. 21.7; Amm. 27.9.6. From the third century there were also

eirenarchs in Egypt: *P. Oxy.* I 80 (AD 216), together with *leistopiastai*, see e.g., *BGU* I 325 with van Hooff, 'Ancient Robbers' 106. For *orophylakes* cf. J. and L. Robert, *Fouilles d'Amyzon en Carie*, vol. I, Paris 1983, 101–9. Generally on policing in Asia Minor cf. K. Hopwood, 'Consent and Control. How the Peace was kept in Rough Cilicia', in D.H. French, C.S. Lightfoot, eds, *The Eastern Frontier of the Roman Empire*, Oxford 1989, 191–201. Idem, 'Policing the Hinterland: Rough Cilicia and Isauria', in S. Mitchell, ed., *Armies and Frontiers in Roman and Byzantine Anatolia*, London 1983, 173–87.

64 Evidence for the office is to be found in Ulp. *Dig.* 5.1.61.1: *latrunculator de re pecuniaria iudicare non potest*. Cf. Mommsen, *Staatsrecht* (n. 62) II 2^3, 1075, n. 2. Hirschfeld, 'Sicherheitspolizei' (n. 56), 595. G. Lanata, 'Henkersbeil oder Chirurgenmesser? Eine falsche Alternative bei Palladas, Anth. Pal. XI 280', *Rechtshistorisches Journal* 6, 1987, (293–306) 296ff.

65 App. *Civ.* 5.132.547: C. Calvisius Sabinus, *c.* 36 BC 'bandit-taker' in the service of Octavian. *IGRR* IV 886: Aurelios Eirenaios of Lycia; see Shaw, 'Der Bandit' 358. Lucian *Demonax* 1: Sostratos of Greece. Front. *Ad Ant.* P. 8: Iulius Senex of Mauretania, see M. Rostovtzeff, *The Social and Economic History of the Roman Empire*^{2}, Oxford 1957, 693, n. 106: 'The fact that Fronto wanted to have with him a specialist in repressing brigandage certainly does not suggest that, after so many years of profound peace in the Empire, conditions were very normal in Asia Minor.' Bellen, *Sklavenflucht* 105. Pekáry, *Seditio* 143. Shaw, 'Der Bandit' 357.

66 M. Rostovtzeff, 'Die Domänenpolizei im römischen Kaiserreiche', *Philologus* 64, 1905, 297–307, on *salutarii* and *oreophylakes*. Cf. also M. Rostovtzeff: *Sunteleia tironon*, *JRS* 8, 1918, 26–33. D. Feissel, I. Kaygusuz, 'Un mandement impérial du VI^e siècle dans une inscription d'Hadrianoupolis d'Honorade', *T&Mbyz* 9, 1985, 397–419 = *SEG* 35, 1985, 1360 = *AE* 1985, 816.

67 Disarming of the native population in Gaul (under Tiberius): Plin. *Nat.* 30.13; in Britain (under Claudius): Tac. *Ann.* 12.31; in Egypt (under Tiberius): Phil. *Flacc.* 11; 92f. with Drexhage, 'Einbruch, Diebstahl und Straßenraub' 318; cf. also Cic. *Verr.* 2.5.7. Val. Max. 6.3.5. Marc. *Dig.* 48.6.3.1: prohibition on the arming of slaves; demobilisation and disarming of *pastores*: *Cod. Theod.* 9.30.1–5. See generally MacMullen, *Enemies* 256, and P.A. Brunt, 'Did Imperial Rome disarm her subjects?', *Phoenix* 29, 1975, 260–70, now in idem, *Roman Imperial Themes*, Oxford 1990, 255–66 (Brunt comes down against the systematic disarming of provincial populations [260]: 'disarmament was far from normal and, where attempted, without lasting effect').

68 On road building as a means of pacification cf. *CIL* I^2 638 = *ILS* 23 = *ILLRP* 454 (Via Annia) with T.P. Wiseman, 'Viae Anniae', *PBSR* 33, 1964, (21–37) 30ff.; 36. Strab. 4.6.6 p. 204 (the Alps) with Bellen, *Sklavenflucht* 95. Ael. Arist. *Or.* 26.100 (Cilicia, Arabia, Egypt). On the pacificatory role of the building of the Strata Diocletiana cf. J. Matthews, *The Roman Empire of Ammianus*, Baltimore 1989, 343.

69 Centres of Roman relocation of settlement and colonisation were the Iberian peninsula and Asia Minor. For Ser. Sulpicius Galba's feigned plan of settlement for Lusitanians in 151 BC see below, p. 34. At a later date, in 137 BC, such measures were in fact carried out in Lusitania: App. *Ib.* 73.310; 75.321. Failure of Roman settlement policy in Hispania (98 BC): App. *Ib.* 100.433. Relocation of warlike Lusitanian mountain tribes by Caesar, 61 BC: Dio 37.52.1–5. Cf. also Strab. 3.3.5 p. 154. Settlement of Cilician pirates by Pompey: Plut. *Pomp.* 28.4; 29.1 (political controversy resulting from the measure). Strab. 14.4.8 p. 671. App. *Mithr.* 96.444. See R. Ziegler, 'Ären kilikischer Städte und Politik des Pompeius in Südostkleinasien', *Tyche* 8, 1993, (203–19) 210–12. An insight into conditions in pre-Roman Asia Minor: as early as 346 BC Isocrates (*Phil.* 120–2) had counselled Philip II that,

following the conquest of the country, he should immediately establish cities there in order to be able to give a home to the numerous desperadoes. A later attempt at a settlement policy in Isauria under Probus: *HA* Prob. 16.6. Forced resettlement of Illyrian pirates in the hinterland: Strab. 7.5.6 p. 315.

70 Cassius Dio, 52.27.4f., has Maecenas suggest that the emperor should draft the hardiest youths and those in need of a livelihood, for this would mean that no one would be forced to earn his living as a brigand. *HA* Marc. 21.7: *latrones etiam Dalmatiae atque Dardaniae milites fecit*; see A. Mócsy, 'Latrones Dardaniae', *AAntHung* 16, 1968, 351–4, and below, p. 125. *HA* Prob. 16.6: *veteranis omnia illa quae anguste adeuntur loca privata donavit, addens ut eorum filii ab anno octavo decimo, mares dumtaxat, ad militiam mitterentur, ne latrocinare umquam discerent*; see Minor, *Brigand* 85. Anon. *De reb. bell*. 2.3; see van Hooff, 'Ancient Robbers' 122. Hopwood, 'Consent' (as n. 63), 196, also thinks that the three Isaurian legions raised under Diocletian (*Not. dign*. Or. 7.56) were made up for the most part of men from brigands' nests.

71 *Leistes* can, independently of the date of the source, denote a bandit, a highwayman or a pirate. *Peirates*, as a particular term for a pirate, first occurs in writings of the Hellenistic period; cf. H.G. Liddell, R. Scott, H.St. Jones, *A Greek-English Lexicon*[9], Oxford 1940, repr. 1977, 1046 *s.v. leistes*; 1355 *s.v. peirates*. For the terminology see also Y. Garlan, *Guerre et économie en Grèce ancienne*, Paris 1989, 177f. On Greek piracy see H.A. Ormerod, *Piracy in the Ancient World. An Essay in Mediterranean History*, Liverpool 1924, repr. 1978. E. Ziebarth, *Beiträge zur Geschichte des Seeraubs und Seehandels im alten Griechenland*, Hamburg 1929. A.H. Jackson, 'Plundering in War and other Depredations in Greek History from 800 BC to 146 BC', Univ. of Cambridge Ph.D. thesis 1969. Y. Garlan, 'Signification historique de la piratérie grecque', *DHA* 4, 1978, 1–16. W. Nowag, *Raub und Beute in der archaischen Zeit der Griechen*, Frankfurt 1983. H. Kaletsch, 'Seeraub und Seeräubergeschichten des Altertums. 2000 Jahre antiker Seefahrt und Piraterie zwischen Adria und Ostmittelmeer', in *Studien zur Alten Geschichte. Festschrift S. Lauffer*, Bd. II, Rome 1986, 471–500.

72 Cf. Ormerod, *Piracy* (n. 71), 248–70. M. Reddé, *Mare nostrum. Les infrastructures, le dispositif et l'histoire de la marine militaire sous l'empire romain*, Paris 1986, 326–9; 570–4. D. Braund, 'Piracy under the principate and the ideology of imperial eradication', in J. Rich, G. Shipley, eds, *War and Society in the Roman World*, London 1993, 195–212.

73 Cic. *Flacc*. 28f.; 31; 33; cf. *Leg. agr*. 2.81.

74 Dio 39.56.1; 56.5; 59.2.

75 Cic. *Att*. 16.1.3: *Dymaeos agro pulsos mare infestum habere nil mirum*. Dyme was one of the pirate colonies founded by Pompey. It appears that, as a centre of Pompeian patronage, the settlement was dissolved by Caesar, cf. Pohl, *Piraterie* 164.

76 App. *Ill*. 16.47.

77 Dio 55.28.2.

78 Tac. *Ann*. 12.55.

79 Jos. *Bell. Iud*. 3.9.2 (416).

80 Tac. *Hist*. 3.47–48; cf. below pp. 150–1.

81 Tac. *Hist*. 3.47.3; for the *camarae* mentioned here cf. also Strab. 11.2.12 p. 495/6.

82 *Periplus maris Erythr*. 20 p. 62 Casson. Cf. A. Villiers, 'Sailing with the Arabs', *Mariners Mirror* 47, 1961, 242–55.

83 So an epigram of Nicarchus, *Anth. Gr*. 11.162 (*c*. AD 80).

84 *Anth. Gr*. 5.44.

85 Paus. 10.34.5. *HA* Marc. 22.1f.; *HA* Sept. Sev. 2.3f. *CIL* VI 31856 = *ILS* 1327. A. v. Premerstein, 'Untersuchungen zur Geschichte des Kaisers Marcus II: Seezüge der Nordpontusvölker und der Mauren. Der Einfall der Kostoboken', *Klio* 12, 1912,

139–78. Oliva, *Pannonia* (n. 58), 276–8 with the references in n. 51. A. Birley, *Mark Aurel*[2], Munich 1977, 303ff.

86 P. Herz, 'Kampf den Piraten? Zur Deutung zweier kaiserzeitlicher Inschriften', *ZPE* 107, 1995, 195–200, on *CIG* 2509a and its interpretation by A.V. Domaszewski, 'Untersuchungen zur römischen Kaisergeschichte IV: Die Piraterie im Mittelmeer unter Severus Alexander', *RhM* 58, 1903, 382–90, and on *AE* 1948, 201 = *Bull. Ép.* 1946/47, 156 with G. Pugliese Caratelli, 'Per la storia della pirateria nell'età dei Severi', in *Studi di antichità classiche offerti da colleghi e discipuli a E. Ciaceri*, Genoa 1940, 256–60. Cf. also Sünskes Thompson, *Aufstände* 200.

87 R. Klein, *Die Romrede des Aelius Aristides*, Darmstadt 1983, IX.

88 Plut. *Mor.* 165D.

89 Suet. *Aug.* 43.1: *ne raritate remanentium grassatoribus obnoxia esse.* (Trans. Rolfe, Loeb)

90 Plin. *Nat.* 19.59: *iam in fenestris suis plebs urbana imagine hortorum cotidiana oculis rura praebebant, antequam praefigi prospectus omnes coegit multitudinis innumerae saeva latrocinatio.*

91 Shaw, 'Bandits' 10, with the references in n. 25. Shaw's collection of the epigraphic material can be supplemented as follows: *AE* 1982, 512 = J. Gonzalez Fernandez in *Actas del I congreso andaluz de estudios clasicos* (*Jaén, 9–12 dic. 1981*), Jaén 1982, 223–7. *AE* 1989, 480 = J. Corell, 'Dos inscripciones inéditas de Requena (Valencia)', *Faventia* 9, 1987, (107–18) 111f. *JÖAI* 1900, Beiblatt 45, 143–5 (Timacum minus/Ravna). *CIL* III 8242 (Orachovaz); 9054 (Salona).

92 *CIL* III 8830 = *ILS* 5112 (Salona).

93 *ILS* 2646 (Aidussina, near Tergeste). *CIL* XIII 2667 (Autun).

94 *CIL* XIII 3689 = Buecheler, *CLE* 618.

95 *CIL* VI 20307.

96 *CIL* III 2399 (Spalatum/Split).

97 *CIL* III 1585 = 8021 (Zagaia, modern Bucharest).

98 Suet. *Aug.* 27.4. For the contrary version see App. *Civ.* 3.95.394. On this see Kienast, *Augustus* (n. 26), 140 with n. 57.

99 *HA* Comm. 5.12: *Occisus est eo tempore etiam Claudius* (sc. Pompeianus) *quasi a latronibus*. What Guenther, *Latrocinium* 21, makes of this strikes me as odd: 'moreover, we hear of the activity of *latrones* [*author's note*: that is, as a form of class struggle!] during the reign of Commodus'.

100 *HA* Carac. 3.8.

101 O. Hirschfeld, 'Die ägyptische Polizei der römischen Kaiserzeit nach Papyrusurkunden' (1892), in idem, *Kleine Schriften*, Berlin 1913, 613–23. N. Hohlwein, 'La police des villages égyptiennes à l'époque romaine', *Musée belge de philologie et d'histoire* 9, 1905, 394–9. F. Oertel, *Die Liturgie. Studien zur ptolemäischen und kaiserlichen Verwaltung Ägyptens*, Leipzig 1917 (repr. Aalen 1965), 263–86. L. Mitteis, U. Wilcken, *Grundzüge und Chrestomathie der Papyruskunde*, Hildesheim 1963 (repr.), Bd. I 1, 411–16 and I 2, 558–62: 'Die Polizei'. B. Baldwin, 'Crime and Criminals in Graeco-Roman Egypt', *Aegyptus* 43, 1963, 256–63. R.W. Davies, 'Some Crimes in Roman Egypt', *AncSoc* 4, 1973, 199–212. R.S. Bagnall, 'Army and Police in Roman Upper Egypt', *JARCE* 14, 1977, 67–86. Idem, 'Upper and Lower Guard Posts', *CE* 57, 1982, 125–8. Drexhage, 'Einbruch, Diebstahl und Straßenraub'. Drexhage, 'Eigentumsdelikte'. Krause, *Gefängnisse* 35–8.

102 Vell. 2.126.3; cf. 2.89.4.

103 *P. Ryl.* II 124–52. The particular importance of this group of texts was briefly indicated by A. Kneppe, *Metus temporum. Zur Bedeutung von Angst in Politik und Gesellschaft der römischen Kaiserzeit des 1. und 2. Jhdts. n. Chr.*, Stuttgart 1994, 346f.

104 Amm. 22.16.23:

> *Homines autem Aegyptii plerique suffusculi sunt et atrati magisque maestiores, gracilenti et aridi, ad singulos motus excandescentes, controversi et reposcones acerrimi. Erubescit apud eos, si qui non infitiando tributa plurimas in corpore vibices*

ostendat. Et nulla tormentorum vis inveniri adhuc potuit, quae obdurato illius tractus latroni invito elicere potuit, ut nomen proprium dicat.

(Trans. after Rolfe, Loeb)

105 See e.g., Herodian. 1.17.6. *HA* Tyr. trig. 22.1f.:

Est hoc familiare populi Aegyptiorum ut velut furiosi ac dementes de levissimis quibusque ad summa rei publicae pericula perducantur; saepe illi ob neglectas salutationes, locum in balneis non concessum, carnem et olera sequestrata, calceamenta servilia et cetera talia usque ad summum rei publicae periculum in seditiones, ita ut armarentur contra eas exercitus, pervenerunt.

(*HA* Quadr. tyr. 7.4)

106 On typical 'bandit peoples' of Antiquity see Shaw, 'Bandits' 42, with a list of representative examples in n. 114. On the mechanisms of modern stereotyping, which help cast light on ancient conditions, see the instructive treatment of F.K. Stanzel, 'Der literarische Aspekt unserer Vorstellungen vom Charakter fremder Völker', *AAWW* 111, 1974 Nr. 4, 63–82. Otherwise, see K.E. Müller, *Geschichte der antiken Ethnographie und ethnologischen Theoriebildung*, 2 vols, Stuttgart 1972/1980.

107 Explicitly stated in no. 129: *strategos Arsinoeitou*.

108 See the commentary to *P. Ryl*. II 124–52, p. 117, together with the studies on Egyptian policing cited in n. 101 and P. Jouguet, *La vie municipale dans l'Égypte romaine*, Paris 1911, 259–69, esp. 261.

109 It is possible that under him he still had regional *strategoi*. This derives from the observation that the titles of officials who held several posts contemporaneously are presented in Euhemerian papyri (no. 152 with 149) in rising order of importance, with that of *epistates phylakiton* coming last.

110 Cf. R. Taubenschlag, *Das Strafrecht im Rechte der Papyri*, Leipzig 1916, 96ff. L. Mitteis in Mitteis-Wilcken, *Grundzüge* (n. 101), Bd. II 1, 28ff.

111 The verb *ephodeuo* means 'to go the rounds', 'to patrol'. The *archephodos* must therefore be a sort of beat policeman, denoted the superior of his colleagues by the prefix *arche-*. Apart from these papyri, the office is also referred to in *P. Tebt*. 90 (first century BC); 331.15 (second century AD), cf. Jouguet, *La vie municipale* (n. 108), 260f.

112 Cf. Jouguet, *La vie municipale* (n. 108), 266; R. MacMullen, *Soldier and Civilian in the Later Roman Empire*, Cambridge 1963, 52ff. In a further case (no. 133) the petition is directed towards a priest of the imperial cult (*hiereus Tiberiou Kaisaros*), though the closing formulation is neutral: 'I therefore beg you to undertake the case'. The priest could, of course, have acted as go-between between victim and officials.

113 Ulp. *Dig*. 47.14.1 pr.; cf. *Coll*. 11.7.1.

114 *Cod. Theod*. 9.30.1 with Herz, '*Latrocinium* und Viehdiebstahl' 232.

115 Ulp. *Dig*. 47.9.3.5: *rapi autem sine vi non potest.*

116 Sen. *Benef*. 4.17.3f.; Alciphron 1.8.2–4.

117 Drexhage, 'Eigentumsdelikte' 954f.

118 Heliod. 1.5.2–6.2; 6.7.4.

119 Dio 71.4. *HA* Marc. 21.2. Cf. below pp. 114, 121–3.

120 On the social and legal standing of Egyptian slaves under the Principate see A.I. Pavlovskaja, 'Die Sklaverei im römischen Ägypten', in L.P. Marinovic *et al.*, *Die Sklaverei in den östlichen Provinzen des Römischen Reiches im 1.-3. Jahrhundert*, German trans. by J. Kriz in collaboration with G. Prinzing and E. Herrmann-Otto (Übersetzungen ausländischer Arbeiten zur antiken Sklaverei, 5), Stuttgart 1992, (165–270) 223ff.

121 See the findings of Drexhage, 'Einbruch, Diebstahl und Straßenraub', and Drexhage, 'Eigentumsdelikte'.

122 On poverty in Classical Antiquity see H. Kloft, 'Gedanken zum Ptochós', in I. Weiler, ed., *Soziale Randgruppen und Außenseiter im Altertum*, Graz 1988, 81–106. C. R. Whittaker, 'Der Arme', in A. Giardina, ed., *Der Mensch der römischen Antike*, Frankfurt 1991, 305–36. J. Rougé, 'Aspects de la pauvreté et de ses remèdes aux IV^{e} et V^{e} siècles, in *Atti dell'Accademia Romanistica Costantiniana*, vol. VIII, Perugia 1990, 227–48.

123 Cf. A. Kneppe, 'Die Gefährdung der *securitas*: Angst vor Angehörigen sozialer Randgruppen der römischen Kaiserzeit am Beispiel von Philosophen, Astrologen, Magiern, Schauspielern und Räubern', in Weiler, *Soziale Randgruppen* (n. 122), 165–76.

124 Cf. Kneppe, *securitas* (n. 123), 165. H.U. Instinsky, *Sicherheit als politisches Problem des römischen Kaisertums*, Baden-Baden 1952. Kneppe, *Metus temporum* (n. 103), 230.

2 GUERRILLA LEADERS AS *LATRONES*

1 For the following cf. Dyson, 'Native Revolts'. Dyson, 'Native Revolt Patterns'. A. Gutsfeld, *Römische Herrschaft und einheimischer Widerstand in Nordafrika*, Stuttgart 1991. For *moral* resistance to Rome cf. now A. Demandt, *Der Idealstaat. Die politischen Theorien der Antike*, Cologne 1993, 307ff. (Ch. XII: 'Der geistige Widerstand gegen Rom').

2 Z.W. Rubinsohn, 'The Viriatic War and Its Roman Repercussions', *RSA* 11, 1981, (161–204) 188: 'Since Lusitania was – and is – a fertile country . . . , it is probable that not an absolute lack of land suitable for agriculture, but rather the unequal distribution of land caused the attempted exodus of the landless.'

3 J.S. Richardson, *Hispaniae. Spain and the Development of Roman Imperialism, 218–82 BC*, Cambridge 1986, 135f., based, *inter alia*, on Polyb. 32.13.6f. Cf. previously Rubinsohn, 'The Viriatic War' (n. 2), 187.

4 App. *Ib*. 59.250.

5 App. *Ib*. 60.251–252. Val. Max. 9.6.2. Suet. *Galba* 3.4. H. Simon, *Roms Kriege in Spanien 154–133 v. Chr.*, Frankfurt-am-Main 1962, 60f.

6 Hobsbawm, *Bandits* 35: 'First, the noble robber begins his career of outlawry not by crime but as the victim of an injustice . . . Second, he "rights wrongs".'

7 Eutr. 4.16.2: *adsertor contra Romanos Hispaniae*.

8 Tac. *Ann.* 2.88.2: *liberator haud dubie Germaniae*.

9 Cf. Simon, *Roms Kriege in Spanien* (n. 5), 95, n. 20. R.W. Bane, 'The Development of Roman Imperial Attitudes and the Iberian Wars', *Emerita* 44, 1976, 409–20.

10 The following review of the sources is based on the detailed treatment of Rubinsohn, 'The Viriatic War' (n. 2), 163–71. See also H.G. Gundel, *s.v.* Viriatus, *RE* IX A, 1961, (203–30) 204f.

11 The most important sources for Viriatus are: App. *Ib*. 60–75. Diod. 33.1; 7; 19; 21a. Liv. *Per*. 52–4. Dio frg. 73; 77f. Flor. 1.33.15. Oros. 5.4.1. Eutr. 4.16. Frontin. *Strat*. 2.5.7. A comprehensive collection of texts is to be found in A. Schulten: *Fontes Hispaniae Antiquae*, vol. IV, ed. A. Schulten, P. Bosch Gimpera, L. Pericot, Barcelona 1937, 107–35.

12 Rubinsohn, 'The Viriatic War' (n. 2), 172–80.

13 A. Schulten, 'Viriatus', *Neue Jahrbücher für das Klassische Altertum* 39, 1917, 209–37. Gundel, 'Viriatus' (n. 10). Simon, *Roms Kriege in Spanien* (n. 5), 87ff. Richardson, *Hispaniae* (n. 3), 126ff. See also A. Garcia y Bellido, 'Bandas y guerillas en las luchas con Roma', *Hispania* 5, 1945, 547–604, and Dyson, 'Native Revolt Patterns' 148–50.

14 Cf. Strab. 3.3.5f. p. 154.

15 Liv. *Per*. 52: *primum ex pastore venator, ex venatore latro mox iusti quoque exercitus dux factus*. Flor. 1.33.15: *ex venatore latro, ex latrone subito dux atque imperator*. Anon. *De*

vir. ill. 7: *ob paupertatem primo mercennarius, deinde alacritate venator, audacia latro, ad postremum dux*. Dio frg. 73.1. Frontin. *Strat*. 2.5.7: *Viriatus, ex latrone dux Celtiberorum*. Eutr. 4.16: *pastor primum fuit, mox latronum dux*. Oros. 5.4.1: *homo pastoralis et latro*.

16 Herz, '*Latrocinium* und Viehdiebstahl'.

17 Liv. 39.29.9; 39.41.6. M. Capozza, *Movimenti servili nel mondo romano in età repubblicana, I: Dal 501 al 184 a. Chr.*, Rome 1966, 143ff. Dumont, *Servus* 168ff.

18 Cf. e.g., Diod. 34/35.2.2f.; 2.27–31. M. Capozza, 'Il brigantaggio nelle fonti della prima rivolta servile siciliana', *AIV* 133, 1974/75, 27–40. Dumont, *Servus* 219; 230; 242. Bradley, *Slavery and Rebellion* 53f.

19 *HA* Maxim. 2.1: *Et in prima pueritia fuit pastor, iuvenum etiam procer, et qui latronibus insidiaretur et suos ab incursionibus vindicaret*; cf. Herodian 6.8.1.

20 Lact. *Mort*. 19.6:

> *Daia vero sublatus nuper a pecoribus et silvis, statim scutarius, continuo protector, mox tribunus, postridie Caesar, accepit orientem calcandum et conterendum, quippe qui neque militiam neque rem publicam sciret, iam non pecorum sed militum pastor*.

21 Maximinus Thrax as *mixobarbaros*: Herodian. 6.8.1; as *barbaro genitus imperator*: *HA* Maximin. 1.7. Maximinus Daia as *semibarbarus*: Lact. *Mort*. 18.13.

22 Cf. Aristot. *Pol*. 1256 b1ff.; like piracy, an honourable profession: Thuc. 1.5. Cf. P. Walcot, 'Cattle Raiding, Heroic Tradition and Ritual: the Greek evidence', *HR* 18, 1979, 326–51. B. Lincoln, 'The Indo-European Cattle-Raiding Myth', *HR* 16, 1976, 42–65.

23 See e.g., Virg. *Georg*. 3.339–348. There are undertones of idealisation even in Varro *Rust*. 2.10.3. Livy has a *pastoralis habitus* (9.36.6; cf. 9.2.2) and a *pastorum sermo* (10.4.9f.).

24 Cf. O. Vischer, *De pastorum, quos poetae et scriptores Graeci et Latini depingunt, condicione, vita, moribus, arte*, diss. Tübingen 1906, esp. 43–63: *mores pastorum*. C. Antonetti, 'Agraioi et agrioi. Montagnards et bergers: un prototype diachronique de sauvagerie', *DHA* 13, 1987, 199–230.

25 For the bucolic milieu of early Rome and, especially, for Romulus und Remus as bandit shepherds, see e.g., Fabius Pictor, *FGrHist* 809 F4. Varro, *Rust*. 2.1.9. Diod. 8.4.1. Liv. 1.4.9; 1.5.3 with, in particular, Dion. Hal. 1.79.11. Eutr. 1.1–3. Ov. *Fast*. 809–12. Juv. 8.272–5. C. Ampolo, 'Rome archaïque: une société pastorale?', in C.R. Whittaker, ed., *Pastoral Economies in Classical Antiquity*, Cambridge 1988, 120–33.

26 Varro *Rust*. 2.1.6: *de antiquis illustrissimus quisque pastor erat.* (Trans. Hooper and Ash, Loeb)

27 Flor. 1.33.15: *Hispaniae Romulus*.

28 See above n. 15.

29 Flor. 2.8.8: *Nec abstinuit ille de stipendiario Thrace miles, de milite desertor, inde latro, deinde in honorem virium gladiator*. (Trans. Forster, Loeb) For Spartacus as *latro* cf. below, pp. 64–5, 69.

30 Flor. 1.33.15.

31 Tacfarinas: Tac. *Ann.* 3.73.2; cf. below, pp. 48–55. Gannascus: Tac. *Ann.* 11.18.1. Maternus: Herodian. 1.10.1; cf. below, pp. 124–8.

32 Amm. 14.11.33: *quam multi splendido loco nati eadem rerum domina conieunte Viriathi genua sunt amplexi et Spartaci!*

33 Vell. 2.1.3: *dux latronum*. Diod. 33.1.5: *leistarchos*. Strab. 3.4.5 p. 158: *leistes*. Occasionally Viriatus receives the honour of being presented, as if the holder of corresponding legitimate power, with titles such as *dux* or *imperator* e.g., Frontin. *Strat*. 2.13.4: *dux Lusitanorum*; 2.5.7: *dux Celtiberorum*. Flor. 1.33.15: *dux atque imperator*. Diod. 33.1.1: *hegemon*.

34 Sall. *Hist*. 2.88 Maurenbrecher: *genus militum suetum a pueritia latrociniis*; cf. 2.92. On this see van Hooff, 'Ancient Robbers' 108 and n. 24.

35 Strab. 3.3.6–8 p. 154: physical characteristics of the Lusitanians, weaponry, poor but healthy lifestyle; 3.4.5 p. 158: Iberians as ideal guerillas; 3.4.13 p. 163: their savagery; 3.4.15 p. 163: guerrilla tactics, the bandit life, weaponry; 3.4.18 p. 165; 4.4.2 p. 195/6: guerrilla tactics (*leistrikos polemountes*). For the problem of Strabo's depiction of foreign cultures, with special reference to the the people of the Iberian peninsula, cf. M. Clavel-Lévêque, 'Brigandage et piraterie: représentations idéologiques et pratiques impérialistes au dernier siècle de la république', *DHA* 4, 1978, (17–31) 18f.; see also P. Thollard, *Barbarie et civilisation chez Strabon. Etude critique des livres III et IV de la Géographie*, Paris 1987.

36 On banditry as a rite of initiation: J.N. Bremmer, 'The Suodales of Poplios Valesios', *ZPE* 47, 1982, 133–47. For rites of initiation in general see M. Eliade, *Initiation, rites, sociétés secrètes. Naissances mystiques. Essai sur quelques types d'initiation*, Paris 1959, repr. 1976, esp. 12f.

37 Diod. 5.34.6f. (Trans. Oldfather, Loeb)

38 Diod. 25.19.1. In another connection, that of an imaginary dispute in the Underworld between Hannibal and Alexander the Great, the latter describes the former as a bandit, claiming true kingship for himself: Lucian. *Dial. mort.* 25.4.

39 App. *Civ.* 5.143.596.

40 Schulten, 'Viriatus' (n. 13), 228ff. Gundel, 'Viriatus' (n. 10), 224ff. Simon, *Roms Kriege in Spanien* (n. 5), 90f.

41 For the following cf. A. Alföldi, 'Epigraphica IV', *Arch. Ert.* 2, 1941, (30–59) 43. Van Hooff, 'Ancient Robbers' 108. On the archaic vendetta – in its form and circumstances a comparable form of warfare, see D. Timpe, 'Das Kriegsmonopol des römischen Staates', in W. Eder, ed., *Staat und Staatlichkeit in der frühen römischen Republik*, Stuttgart 1990, (368–87) 372. On guerrilla warfare in general see M. Wieser, *Der Kleinkrieg in der Antike. Beiträge zur Militärgeschichte aus der Sicht der Vergleichenden Geschichtswissenschaft*, diss. Innsbruck 1976. C.D. Kernig, *s.v.* Guerilladoktrin, in *Sowjetsystem und demokratische Gesellschaft*, Bd. II, Freiburg 1968, 1121–44; O. Heilbrunn, *s.v.* Guerillakrieg, ibid. 1145–62.

42 Demosth. *Phil.* 1.23. On this cf. Y. Garlan, 'Signification historique de la piraterie grecque', *DHA* 4, 1978, (1–16) 2. W. Nowag, *Raub und Beute in der archaischen Zeit der Griechen*, Frankfurt-am-Main 1985, 103–6.

43 Liv. 21.35.2:

> *Inde montani pauciores iam et latrocinii magis quam belli more concursabant modo in primum, modo in novissimum agmen, utcumque aut locus opportunitatem daret aut progressi morative aliquam occasionem fecissent.*

Cf. 23.42.10: *iam ne manipulatim quidem, sed latronum modo percursabant totis finibus nostris.*

44 Liv. 28.12.9: *per latrocinia militiam exercere.*

45 Liv. 29.6.2: *Latrociniis magis quam iusto bello in Bruttiis gerebantur res*; cf. 1.15.1: *populabandi magis quam iusti more belli.*

46 Pompon. *Dig.* 50.16.118 pr.: *'Hostes' hi sunt, qui nobis aut quibus nos publice bellum decrevimus: ceteri 'latrones' aut 'praedones' sunt.* Cf. above pp. 15–17.

47 H. Hausmaninger, '"Bellum iustum" und "iusta causa belli" im älteren römischen Recht', *Österreichische Zeitschrift für öffentliches Recht* 11, 1961, 335–45. S. Albert, *Bellum iustum. Die Theorie des 'gerechten Krieges' und ihre praktische Bedeutung für die auswärtigen Auseinandersetzungen Roms in republikanischer Zeit*, Kallmünz 1980. R. Rüpke, *Domi militiae. Die religiöse Konstruktion des Krieges in Rom*, Stuttgart 1990, 97ff.

48 App. *Ib.* 63.265; 66.280; 69.294; 70.297. Diod. 33.21.

49 App. *Ib.* 71.301: *leisteria polla*; 73.310: *hypo leisterion allon.*

50 Anon. *De vir. ill.* 71: *Viriatus . . . bellum adversus Romanos sumpsit.* Cic. *Brut.* 84: *Viriathi bellum.* Vell. 2.1.3: *bellum in Hispania duce latronum Viriatho*; 2.90.3: *bellum*

sub duce Viriatho. Suet. *Galba* 3.2: *Viriathinum bellum*. Cf. V. Rosenberger, *Bella et expeditiones. Die antike Terminologie der Kriege Roms*, Stuttgart 1992, 24f.
51 Liv. *Per*. 52: *iusti . . . exercitus dux*.
52 App. *Ib*. 75.318f.
53 Flor. 2.8.1: *bellum Spartaco duce concitatum*; 2.8.12: *. . . pulsi fugatique – pudet dicere – hostes in extrema Italiae refugerunt*; 2.8.14: *in primo agmine fortissime dimicans quasi imperator occisus est*.
54 Hoben, *Terminologische Studien* 79f.; 116ff.; 120ff.
55 Caes. *Gall.* 7.1; 7.4; 7.14f.; 7.20f.; 7.63; 7.77.2–16; 7.89.1–3.
56 Suet. *Tib*. 16.1: *quod gravissimum omnium externorum bellorum post Punica*.
57 Vell. 2.110.6. Dio 55.32.3.
58 Dio 55.34.7.
59 Simon, *Roms Kriege in Spanien* (n. 5), 136f.
60 S. Mariotti, *s.v.* Ennius, *KlP* II, 1975, 271.
61 *Moribus antiquis res stat Romana virisque*: Enn. *Ann.* 500 Vahlen (= 467 Warmington), cited in Aug. *Civ*. 2.21, after Cic. *Rep*. 5.1.
62 Dio frg. 73.1: *epephykei*.
63 Diod. 33.1.1; 2. Dio frg. 73.2.
64 Dio frg. 73.2.
65 Ibid.
66 Diod. 33.1.2; Dio frg. 73.2.
67 Diod. 33.7.1.
68 Dio frg. 73.3.
69 App. *Ib*. 69.294.
70 Ibid.
71 Diod. 33.7.3; 5.
72 E.g., Diod. 33.7.5–7.
73 Diod. 33.21a; App. *Ib*. 75.318.
74 Dio frg. 73.4.
75 Ibid.
76 Diod. 33.21a.
77 Ibid. App. *Ib*. 75.319.
78 Ibid.
79 App. *Ib*. 75.318. Cf. Diod. 33.1.3 and 5; 33.21a.
80 Cic. *Off*. 2.40:

> *Itaque propter aequabilem praedae partitionem et Bardulis Illyrius latro, de quo est apud Theopompum, magnas opes habuit et multo maiores Viriatus Lusitanus, cui quidem etiam exercitus nostri imperatoresque cesserunt.*

On Bardylis, King of the Illyrians, 365–358 BC, who waged war on Perdiccas III and Philip II of Macedon, cf. Diod. 16.4. Cic. *Off*. 2.40, after Theopompus (= *FGrHist* 115 F 35). J. Kaerst, *s.v.* Bardylis Nr. 1, *RE* II, 1899, 12. P. Cabanes, *Les Illyriens de Bardylis à Genthios (IV^e – II^e siècle av. J.-C.)*, Paris 1988.
81 Cic. *Off*. 2.40: *Quin etiam leges latronum esse dicuntur, quibus pareant, quas observent*. (This follows the sentence, already cited, on Viriatus und Bardylis. Then comes: *Cum igitur tanta vis iustitiae sit, ut etiam latronum opes firmet et augeat, quantum eius vim inter leges et iudicia et in constituta re publica fore putamus?*)
82 As already observed by Simon, *Roms Kriege in Spanien* (n. 5), 137.
83 Liv. 21.4.5–8:

> *Plurimum audaciae ad pericula capessenda, plurimum consilii inter ipsa pericula erat. Nullo labore aut corpus fatigari aut animus vinci poterat. Caloris ac frigoris patientia par; cibi potionisque desiderio naturali, non voluptate modus finitus; vigilarum somnique nec die nec nocte discriminata tempora; id quod gerendis rebus*

> *superesset quieti datum; ea neque molli strato neque silentio accersita; multi saepe militari sagulo opertum humi iacentem inter custodias stationesque militum conspexerunt. Vestitus nihil inter aequales excellens: arma atque equi conspiciebantur. Equitum peditumque idem longe primus erat; princeps in proelium ibat, ultimus conserto proelio excedebat.*
>
> (Trans. Foster, Loeb)

84 Correspondence between Viriatus und Hannibal: Lucil. 616: *vinci a barbaro Viriatho Annibale*; see Schulten, *Fontes* (n. 11), 126. On Lucilius: C. Cichorius, 'Neues zu Lucilius', in idem, *Römische Studien* 2, repr. Darmstadt 1961, 67–82.

85 Flor. 1.42.1: *Creticum bellum, si vera volumus, sola vincendi nobilem insulam cupiditas fecit.* (Trans. Forster, Loeb)

86 These were Lasthenes and Panares, on whom see Diod. 40.1.3f. Vell. 2.34.1. App. *Sic*. 6.4. Dio frg. 111.2; 36.19.3. F. Münzer, *s.v.* Lasthenes no. 4, *RE* XII, 1925, 890f. idem, *s.v.* Panares, *RE* XVIII, 1949, 455f. Pohl, *Piraterie* 275f.

87 App. *Ib*. 60.254.

88 App. *Ib*. 60.255.

89 App. *Ib*. 63.266. The whole story is implausible. The resplendent (field marshal's) uniform of his prisoner must surely have struck the most unsuspecting Lusitanian warrior as indicating that he was considerably superior to other legionaries.

90 App. *Ib*. 64.271.

91 App. *Ib*. 65.273; 278.

92 App. *Ib*. 66.279.

93 App. *Ib*. 66.282. Appian's negative judgement of Q. Pompeius may have been contrary to what actually happened, i.e., may have been subordinated to his literary strategy. At any rate, Q. Pompeius, despite his supposed military failures in Spain, was, as *homo novus*, elected to a consulship in 141 BC. Cf. Simon, *Roms Kriege in Spanien* (n. 5), 108ff.

94 App. *Ib*. 67.283ff.

95 App. *Ib*. 69.293f.

96 On this relationship see Polyb. 31.23.

97 App. *Ib*. 70.296f.

98 App. *Ib*. 74.311. Diod. 33.21.

99 Diod. 33.21.

100 Diod. 33.1.4.

101 On the question of blame see the detailed discussion by Simon, *Roms Kriege in Spanien* (n. 5), 130f., n. 57 (with earlier bibliography) and Gundel, 'Viriatus' (n. 10), 223 (Caepio as the chief culprit); Rubinsohn, 'The Viriatic War' (n. 2), 203 (who emphasises, in Caepio's favour, the role of the Lusitanians).

102 Val. Max. 9.6.2:

> *Viriathi etiam caedes duplicem perfidiae accusationem recipit, in amicis, quod eorum manibus interemptus est, in Q. Servilio Caepione consule, quia is sceleris huius auctor impunitate promissa fuit victoriam non meruit, sed emit.*

Cf. Simon, *Roms Kriege in Spanien* (n. 5), 133 and n. 62.

103 Liv. *Epit*. Oxy. ll. 201f.

104 Eutr. 4.16: *cum interfectores eius praemium a Caepione consule peterent responsum est, numquam Romanis placuisse imperatores a suis militibus interfici.* Oros. 5.4.14 (probably from Livy): *in hoc solo Romanis circa eum fortiter agentibus, quod percussores eius indignos praemio iudicarunt*. Cf. Richardson, *Hispaniae* (n. 3), 148.

105 App. *Kelt*. 18.2. Plut. *Caes*. 22.3. See M. Gelzer, 'Der Antrag des Cato Uticensis, Caesar den Germanen auszuliefern', in *Festgabe für Paul Kirn*, Berlin 1961, 46–53.

106 Cf. Rubinsohn, 'The Viriatic War' (n. 2), 203: 'political strife at Rome tended to shift the initiative and the blame to Caepio'; ibid. 164: 'the Spanish policy of Rome

at the time was in the hands of the Metelli and the Servilii Caepiones, who tried to impair the Scipionic pre-eminence in Spain as part of their struggle against Scipio Aemilianus at Rome'.
107 Ibid. 162.
108 Flor. 1.33.15: *aliter vinci non posse*. (Trans. Forster, Loeb)
109 A. Schulten, *s.v.* Sertorius no. 3, *RE* II A, 1929, 1746–53. Wieser, *Kleinkrieg* (n. 41), 105–30. Ch. F. Konrad, *A Historical Commentary on Plutarch's Life of Sertorius*, diss. Univ. of North Carolina, Chapel Hill 1985.
110 Val. Max. 7.3.6: *proscriptione Sullana dux Lusitanorum fieri coactus*; cf. App. *Civ*. 1.108.505ff.
111 Sertorius' aims were clearly very Roman: Plut. *Sert*. 22.5.
112 Plut. *Sert*. 12.5; 13.3. Plut. *Pomp*. 17.2.
113 Plut. *Sert*. 21.5.
114 Strab. 3.4.6 p. 159. On the locality see E. Hübner, *s.v.* Dianium 2, *RE* V, 1905, 340f.
115 Plut. *Sert*. 7.3; cf. 9.1.
116 Schulten, 'Sertorius' (n. 109), 1751.
117 App. *Civ*. 1.112.522. Plut. *Sert*. 13. Val. Max. 7.3.6.
118 Plut. *Sert*. 13. Plut. *Pomp*. 17.2.
119 Plut. *Sert*. 18.1: *leistrikes mallon e stratiotikes hegoumenon dynameos.*
120 Ibid. 14.1: *anti leisteriou megalou stration epoieto ten dynamin*.
121 Plut. *Pomp*. 20.2; Plut. *Sert*. 26.3–6.
122 Here, surely, Sallust: Schulten, 'Sertorius' (n. 109), 1752f.
123 App. *Civ*. 1.112.520.
124 App. *Civ*. 1.110.514. Plut. *Sert*. 11.2–4. Val. Max. 1.2.4.
125 Plut. *Sert*. 11.3.
126 Plut. *Sert*. 11.2.
127 Diod. 34/35.2.5–9; 2.22. Flor. 2.7.4f.
128 Diod. 36.4.4.
129 Diod. 36.5.1.
130 Tac. *Ann.* 2.52; 3.20f.; 3.32; 3.73f.; 4.23–26. Aur. Vict. *Caes*. 2.3. Stein, *s.v.* Tacfarinas, *RE* IV A, 1932, 1985–87. R. Syme, 'Tacfarinas, the Musulamii and Thubursicu', in *Studies in Honor of A.C. Johnson*, Princeton 1951, 113–30 (= R. Syme, *Roman Papers I*, ed. E. Badian, Oxford 1979, 218–30). Dyson, 'Native Revolt Patterns' 163f. M. Bénabou, *La résistance africaine contre la romanisation*, Paris 1980, 75–84. O. Devillers, 'Le rôle des passages relatifs à Tacfarinas dans les *Annales* de Tacite', in A. Mastino, ed., *L'Africa romana*, vol. VIII 1, Cagliari 1990, 203–11. Gutsfeld, *Römische Herrschaft* (n. 1), 39–67.
131 He was probably not, as Tacitus claims, a Numidian: Gutsfeld, *Römische Herrschaft* (n. 1), 42 n. 97.
132 See the review in Gutsfeld, *Römische Herrschaft* (n. 1), 3f., esp. n. 86.
133 Most recently Devillers, 'Le rôle' (n. 130), 205, with earlier bibliography in n. 11.
134 Tac. *Ann.* 3.73.1: . . . *ut legatos ad Tiberium mitteret* (sc. Tacfarinas) *sedemque ultro sibi atque exercitui suo postularet* etc.
135 G. Alföldy, 'La politique provinciale de Tibère', *Latomus* 24, 1965, (824–44) 837.
136 V.A. Sirago, 'Tacfarinas', in *L'Africa romana*, vol. V, Sassari 1987, (199–204) 199f.
137 J.-M. Lassère, 'Un conflit "routier": observations sur les causes de la guerre de Tacfarinas', *Antiquités africaines* 18, 1982, 11–25.
138 Gutsfeld, *Römische Herrschaft* (n. 1), 56f.
139 Tac. *Ann.* 3.73.2.
140 Ibid. 4.23.1; 2.
141 Gutsfeld, *Römische Herrschaft* (n. 1), 45–7.
142 Tac. *Ann.* 2.52.1.

143 B.D. Shaw, 'Fear and Loathing: The Nomad Menace and Roman Africa', *Revue de l'Université d'Ottawa* 52, 1982, (25–46) 38, questions the historicity of the desertion. In his view, Tacfarinas and his men were called up by the Roman army for military duties and, after their demobilisation, were never employed again. They then scraped a living as bandits. This is possible but without further proof is unproveable. In any case, from the Roman point of view – of crucial importance for this study since it alone determines what a bandit was – Tacfarinas was considered a deserter.

144 W. Seston, *s.v.* Fahnenflucht, *RAC* VII, 1969, 284–6. J. Rüpke, *Domi militiae* (n. 47), 79f. M. Vallejo Girvés, 'Sobre la persecucion y el castigo a los desertores en el ejercito de Roma', *Polis* 5, 1993, 241–51.

145 Menand. *Dig*. 49.16.5.1ff.

146 Menand. *Dig*. 49.16.4.14: *levius itaque delictum emansionis habetur, ut erronis in servis, desertionis gravius, ut in fugitivis*. The parallel between soldiers and slaves is also to be seen in the practice of branding, intended to discourage both desertion and flight. For evidence and discussion of this see Bellen, *Sklavenflucht* 26.

147 Menand. *Dig*. 49.16.5 pr.: *Non omnes desertores similiter puniendi sunt, sed habetur . . . aliudve quid crimen desertioni adiunxerit* etc.

148 *Servi fugitivi* and deserters as the nuclei of robber-bands occur in Basil. *Ep*. 268 (AD 377) and *Cod. Theod*. 7.18.15 = *Cod. Iust*. 12.45.3 (AD 406); see Bellen, *Sklavenflucht* 115.

149 E.g., Tac. *Ann.* 3.20.1: *vagi populationes;* 3.21.4: *spargit bellum, ubi instaretur, cedens ac rursum in terga remeans.*

150 Tac. *Ann.* 3.74.1–3. Wieser, *Kleinkrieg* (n. 41), 131–41.

151 Tac. *Ann.* 3.21.1. A decimation was also carried out in a similar situation during the war against Spartacus, see below, p. 69.

152 E. Sander, 'Das römische Militärstrafrecht', *RhM* 103, 1960, (289–319) 290f.

153 Tac. *Ann.* 2.52.1: *eodem anno coeptum in Africa bellum, duce hostium Tacfarinate.* Cf. 3.20.1; 4.23.1.

154 Tac. *Ann.* 4.24.1: *cuncti, quibus libertas servitio potior* etc.

155 For the occasionally loaded use of the term *libertas* in Tacitus' reports of tribal uprisings see E. Koestermann, *Cornelius Tacitus, Annalen*, Bd. II, Heidelberg 1965, 98 = a commentary on *Ann.* 4.24.1; Gutsfeld, *Römische Herrschaft* (n. 1), 57f., esp. n. 198.

156 Tac. *Ann.* 2.52.1: *vagi . . . et latrociniis sueti*.

157 Ibid. 4.23.2: *quis fortunae inops, moribus turbidus*.

158 See also Gutsfeld, *Römische Herrschaft* (n. 1), 48f.; 51 for Tacitus' attempt to bring out the danger of the rebellion by means of vague and exaggerated reports of the number and nature of Tacfarinas' followers.

159 Tac. *Germ*. 29.3, on the population of the Agri Decumates: *levissimus quisque Gallorum et inopia audax*.

160 Tac. *Hist*. 3.47.2: *corrupto in spem rapinarum egentissimo quoque*; ibid. 3.48.1: *praedae cupidine vagum hostem.* Cf. below, pp. 150–1.

161 Tac. *Hist*. 2.8.1f. On the first false Nero see below, pp. 151–3.

162 Tac. *Hist*. 2.72.2. Cf. below, pp. 139–40.

163 Syme, 'Tacfarinas' (n. 130), 120.

164 Gutsfeld, *Römische Herrschaft* (n. 1), 60–7.

165 Devillers, 'Le rôle' (n. 130), 207 (quotation) and *passim*.

166 Tac. *Ann.* 2.52.5.

167 Ibid. 3.74.4: *sed Tiberius pro confecto interpretatus id* (sc. *bellum*). For the extraordinary act of imperial favour demonstrated in the granting to Iunius Blaesus of an acclamation as *imperator*, see L. Schumacher, 'Die imperatorischen Akklamationen der Triumvirn und die auspicia des Augustus', *Historia* 34, 1985, (191–222) 218f.

168 Ibid. 4.23.1f.
169 Ibid. 4.23.2.
170 On this see the inscription published by E. Bartocchini, 'Dolabella e Tacfarinate in una iscrizione di Lepti Magna', *Epigraphica* 20, 1958, 3–13: *Victoriae / {A}u{gu}stae / P. Cornelius / Dolabella cos. / VII vir ep{ul.} so/da{li}s {Ti}t{tiens} pro/cos. occiso T{acfa}/rinate p{o}s{uit}*.
171 Tac. *Ann.* 4.26.1.
172 Tac. *Ann.* 2.52.3: *haud spernenda natio.*
173 Tac. *Ann.* 3.73.1; 4.23.2.
174 Tac. *Ann.* 4.13.3.
175 Tac. *Ann.* 3.73.1.
176 Tac. *Ann.* 3.73.2.
177 Ibid.
178 *Contra*, though in my opinion not convincing, Koestermann, *Annalen* (n. 155), I 561 = commentary on *Ann.* 3.73.2, according to whose impression Tacitus was 'without doubt . . . profoundly influenced by the emperor's decisive intervention'.
179 Tac. *Ann.* 3.40–46. Vell. 2.129.3. Stein, *s.v.* Iulius Nr. 238 (Florus), *RE* X, 1919, 589. Idem, *s.v.* Iulius Nr. 452 (Sacrovir), *loc. cit.* 796–8. H. Heinen, *Trier und das Trevererland in römischer Zeit*, Trier 1985, 56–60; 391f. (bibliography). P. Herz, 'Der Aufstand des Iulius Sacrovir (21 n. Chr.). Gedanken zur römischen Politik in Gallien und ihren Lasten', *Laverna* 3, 1992, 42–93.
180 Tac. *Ann.* 3.40.2: *Nobilitas ambobus et maiorum bona facta, eoque Romana civitas olim data, cum id rarum nec nisi virtuti pretium esset.*
181 Tac. *Ann.* 4.18.1: *Sacrovirianum bellum.*
182 Ibid. 3.44.2.
183 Ibid. 3.46.4; cf. the commentary of Koestermann, *Annalen* (n. 155), I 506.

3 LEADERS OF SLAVE REVOLTS AS *LATRONES*

1 For the chance of becoming a bandit as a particular incentive for slaves to run away see Bellen, *Sklavenflucht* 143ff.; for herdsmen see Shaw, 'Der Bandit' 354f. and above, p. 36; for soldiers see Shaw, 'Der Bandit' 352–4, and p. 50 and pp. 125–6, 128.
2 On this see, for example, Varro *Rust*. 2.10.1–6.
3 Diod. 34/35.2.2; 2.27. Varro *Rust*. 1.17.3. Strab. 6.2.6 p. 273. Ioh. Ant. frg. 61, *FHG* IV 559f. M. Capozza, 'Il brigantaggio nelle fonti della prima rivolta servile siciliana', *AIV* 133, 1974/75, 27–40, analyses the relevant evidence and comes to the following conclusion (p. 37):

> Brigandage, an independent act by slaves in Strabo, in John of Antioch appears, however, as an institution created and ratified by their masters (*kurioi*). In Diodorus occur both versions: *leisteia* is born of herdsmen, but in consequence of the refusal of their masters to provide them with the basic necessities of life and their proposal that they should obtain these by robbery.

As a result, she suggests that it was in fact the great landowners of Sicily who were responsible for the banditry of their slaves. Basically the same view is upheld by Bradley, *Slavery and Rebellion* 50–4.
4 Callistr. *Dig*. 48.19.28.15. See above, pp. 15–16.
5 Hoben, *Terminologische Studien* 17ff.; 40ff.
6 Cf. I. Opelt, *Die lateinischen Schimpfwörter und verwandte sprachliche Erscheinungen. Eine Typologie*, Heidelberg 1965, 132f.
7 Hoben, *Terminologische Studien* 17.
8 Cf. e.g., Diod. 34/35.2.2; 2.27–30.

9 Diod. 36.6.1; 36.11.1. Flor. 2.7.11; 2.8.5. Dio 27.93.3.
10 Pompon. *Dig*. 50.16.118 pr. *'Hostes' hi sunt, qui nobis aut quibus nos publice bellum decrevimus: ceteri 'latrones' aut 'praedones' sunt.* Cf. Ulp. *Dig*. 49.15.24 pr.; see also above, p. 16 and pp. 40–1.
11 Hoben, *Terminologische Studien* 17ff., 40.
12 According to Diod. 34/35.2.16, during the first Sicilian war the slaves fought with axes, sickles, cleavers, slings, stakes and spits.
13 E.g., Flor. 2.8.5 (on the war with Spartacus): *villarum atque vicorum vastatione.* Cf. J. Vogt, 'Zur Struktur der antiken Sklavenkriege', in idem, *Sklaverei und Humanität. Studien zur antiken Sklaverei und ihrer Erforschung*[2], Wiesbaden 1972, 47.
14 See generally Hoben, *Terminologische Studien* 116ff.
15 Flor. 2.8.12.
16 Hoben, *Terminologische Studien* 120 (with references).
17 On Cleon see Diod. 34/35.2.17ff. Liv. *Per*. 56. Oros. 5.6.4. Ioh. Ant. frg. 61, *FHG* IV 559f. F. Münzer, *s.v.* Kleon no. 5, *RE* XI, 1921, 717f. Vogt, 'Zur Struktur' (n. 13), 30f. Bradley, *Slavery and Rebellion* 46ff. Dumont, *Servus* 225; 235.
18 Bradley, *Slavery and Rebellion* 59.
19 Diod. 34/35.2.17.
20 E.g., Diod. 34/35.2.43. Val. Max. 9.12 ext. 1: *maximus latronum dux*. Hoben, *Terminologische Studien* 79.
21 Diod. 34/35.2.17.
22 Strabo 14.4.2 p. 668 ascribes the beginnings of Cilician piracy to the Syrian usurper Diodotus Tryphon, who revolted against Demetrius II Nicator in 145 BC. He used the Cilician stronghold of Coracesium as his main base for his operations in Syria. Strabo blames Tryphon and other Syrian rulers of his day, in whose sphere of influence Cilicia lay, for the start of its piracy, saying that it was only at their prompting that the Cilicians had started to organise pirate bands. He thereby specifies the date at and circumstances under which Cilician pirate fleets began to be used as regular elements in the numerous dynastic wars. This was, it should be noted, not the beginning of Cilician piracy itself, which had much earlier antecedents. The business with Tryphon introduced the pirates for the first time as a political factor, from when they gradually expanded in their role as the dominant sea power of the eastern Mediterranean. This development was encouraged by the pirates' participation as mercenaries in the civil and foreign wars of Hellenistic kings and pretenders, which led to greater sophistication in the way in which they were organised and to the increase in number and quality of their vessels and equipment. In addition, the increased demand for slaves attracted the pirates to use their organisation and strength for the lucrative business of slaving, eventually becoming the main suppliers to the market at Delos. See M. Rostovtzeff, *Social and Economic History of the Hellenistic World*, vol. 2, Oxford 1941 (repr. 1998), 783–85. E. Maróti, 'Diodotos Tryphon et la piraterie', *AAntHung* 10, 1962, 187–97. G. Marasco, 'Roma e la pirateria cilicia', *RSI* 99, 1987, (122–46) 122–9. A. Lewin, 'Banditismo e civilitas nella Cilicia antica e tardoantica', *QS* 76, 1991, (1671–80) 167f. Pohl, *Piraterie*, esp. Ch. 4, 95ff.
23 Diod. 34/35.2.43.
24 Val. Max. 9.12 ext. 1. Valerius Maximus knows Cleon's brother as Coma, Diod. 34/35.2.21 has Komanus. On the common identity of the two see Dumont, *Servus* 208.
25 Val. Max. 9.12 ext. 1: *inter ipsas custodum manus inque conspectu summi imperii exoptata securitate acquievit*.
26 Ibid.: *ut corporis atque animi infirmo vinculo cohaerens societas dirimatur*.
27 Diod. 34/35.2.4–8.
28 Diod. 34/35.2.14.

29 Diod. 34/35.2.15f.; 2.22; 2.24. Cf. Vogt, 'Zur Struktur' (n. 13), 29f. Dumont, *Servus* 217–19.
30 Diod. 34/35.2.22. On the end of Eunous see Bradley, *Slavery and Rebellion* 62.
31 F. Münzer, *s.v.* Tryphon no. 7, *RE* XIII A, 1939, 723f. Bradley, *Slavery and Rebellion* 74ff. Dumont, *Servus* 226f.
32 Diod. 36.4.4; 36.11.7. Cf. Bradley, *Slavery and Rebellion* 77.
33 Consideration of Salvius' origins: Hoben, *Terminologische Studien* 69 and n. 29.
34 Diod. 36.5. Flor. 2.7.9f. E. Klebs, *s.v.* Athenion no. 6, *RE* II, 1896, 2039–41. H. Volkmann, *s.v.* Athenion no. 2, *KlP* I, 1975, 704. Vogt, 'Zur Struktur' (n. 13), 27ff. Bradley, *Slavery and Rebellion* 76ff. Dumont, *Servus* 227.
35 Diod. 36.5.1. Flor. 2.7.9. Florus' description contradicts that of Diodorus, who terms Athenion *oikonomos*, the equivalent of the Latin *vilicus*. Athenion was either a herdsman before being promoted steward, or Florus (or his source) typecast a Sicilian slave of Cilician origin as a *pastor*. As far as Athenion is concerned we cannot say if he really was a herdsman, or was just called one as an insult. The latter would suffice to fix his character in the eyes of a Roman reader.
36 Diod. 36.5.1. (Trans. Walton, Loeb)
37 Flor. 2.7.10.
38 Diod. 36.5.3.
39 Diod. 36.5.1f.
40 Scholars have long perceived in Diodorus' account of the second slave war a doublette of the first: see Hoben, *Terminologische Studien* 116. Dumont, *Servus* 208, n. 271 (with references); 237.
41 On a 'xenophobic Roman view to a race of natural slaves' see Bradley, *Slavery and Rebellion* 55 and n. 17, with references, *inter alia*, to Cic. *Prov.* 10, Liv. 35.49.8 and 36.17.5.
42 Flor. 2.7.10: *in servos infestius quam in dominos quasi in transfugas, saeviebat.*
43 Diod. 36.5.2.
44 Cf. above, pp. 40–3; below, pp. 112–20.
45 Cf. Vogt, 'Zur Struktur' (n. 13), 49.
46 App. *Mithr.* 59.244.
47 Cic. *Verr.* 2.2.136; cf. 3.66.125.
48 Cic. *Har.* 26; cf. *Att.* 2.12.2.
49 Cf. W. Will, *Der römische Mob. Soziale Konflikte in der späten Republik*, Darmstadt 1991, 87.
50 Diod. 36.3.5f. Stein, *s.v.* Titinius no. 21, *RE* VI A, 1937, 1551.
51 Diod. 36.3.5.
52 Diod. 36.3.6: *strategos*.
53 Dumont, *Servus* 236: 'coloration sociale'.
54 Bradley, *Slavery and Rebellion* 71: 'To judge from his name, Titinius was a Roman citizen, but the oddity of the *cognomen* Gadaeus might suggest that he was in fact a former slave.'
55 Dumont, *Servus* 235.
56 Ibid. 236 (quotation); 238. On the model of the social bandit see the Introduction (p. 16) and pp. 92–100.
57 Diod. 36.3.6.
58 See below, p. 113.
59 See p. 113 and van Hooff, 'Ancient Robbers' 121.
60 Sall. *Hist.* 3.90–106 Maurenbrecher. Cic. *Verr.* 2.5.158–72. Liv. *Per.* 95–7. Flor. 2.8.1–14. App. *Civ.* 1.116.539–120.559. Plut. *Crass.* 8–11. Eutr. 6.7.20. Oros. 5.24. F. Münzer, *s.v.* Spartacus, *RE* III A, 1927, 1528–36. E. Maróti, 'De suppliciis. Zur Frage der sizilianischen Zusammenhänge des Spartacus-Aufstandes', *AAntHung* 9, 1961, 41–70. A. Deman, M.-Th. Raepsaet Charlier, 'Notes sur la guerre de

Spartacus', *Acta Classica Univ. Scient. Debreceniensis* 17/18, 1981/82, 83–97. Dumont, *Servus* 271–306. Bradley, *Slavery and Rebellion* 83–101. Further references are to be found in E. Herrmann-Otto, N. Brockmeyer, *Bibliographie zur antiken Sklaverei*[2], Bochum 1983, 150–3.

61 Flor. 2.8.8: *de stipendiario Thrace miles, de milite desertor, inde latro, deinde in honorem virium gladiator*. (Trans. Forster, Loeb) On the origin of Spartacus (he was a Thracian, possibly from the tribe of the Maidi and not, as Vogt, 'Zur Struktur' [n. 13], 36, proposes, the Bessi) cf. Deman, Raepsaet Charlier, 'Notes' (n. 60), 83–90. M. Doi, 'The Origin of Spartacus and the Anti-Roman Struggle in Thracia', *Index* 20, 1992, 31–40.

62 Flor. 1.33.15. On Viriatus see above, pp. 35–7.

63 Sall. *Hist*. 3.98 Maurenbrecher. App. *Civ*. 1.116.541. Plut. *Crass*. 8.2; 9.6.

64 App. *Civ*. 1.116.541.

65 App. *Civ*. 1.117.547.

66 Plut. *Crass*. 8.2. Cf. Dumont, *Servus* 286–8. Bradley, *Slavery and Rebellion* 92.

67 E.g., App. *Civ*. 1.117.547; 1.119.553. Flor. 2.8.14.

68 App. *Civ*. 1.117.544. Plut. *Crass*. 9.5.

69 Plut. *Crass*. 9.5f.

70 Plut. *Crass*. 9.4.

71 Plut. *Crass*. 11.4f.

72 *CIL* I[2] p. 193 (= *CIL* XI 1828 = *Inscr. It*. XIII 3, 80 = L. Schumacher, *Römische Inschriften*, Stuttgart 1988, 174–6, no. 105). Quotation: Enn. *Ann*. 370 Vahlen (= 360 Warmington) = Cic. *Off*. 1.84. Liv. 22.25.3ff. Val. Max. 3.8.2; App. *Hann*. 12.52ff. J.R. Stanton, 'Cunctando restituit rem. The Tradition about Fabius', *Antichthon* 5, 1971, 49–56. R. Rebuffat, 'Unus homo nobis cunctando restituit rem', *REL* 60, 1982, 153–65.

73 Plut. *Fab*. 10–13. In the series of parallel biographies as it has come down to us, only one 'Life' stands between those of Fabius and Crassus (which includes the Spartacus narrative), that of Nicias. Whoever reads them in this order will therefore have Fabius Maximus still very much in mind when Plutarch comes to speak of Spartacus.

74 Flor. 2.8.11: *Quibus elatus victoriis de invadenda urbe Romana* (. . .) *deliberavit*.

75 App. *Civ*. 1.117.547.

76 E.g., Sall. *Hist*. 3.91 Maurenbrecher: *ingens ipse virium atque animi*. For indications of Plutarch's direct use of Sallust's 'Histories' see B. Maurenbrecher, *C. Sallusti Crispi Historiarum reliquiae*, Leipzig 1891, 146f. (Introduction to fragments 90–106 of Book 3). On Sallust's favourable view of Spartacus see Dumont, *Servus* 273.

77 The opposite view is taken by Dumont, *Servus* 283: 'Contrairement à ce qui se passe en Sicile, la révolte ne se donne pas une organisation étatique sur le modèle hellénistique ou romain.'

78 Bradley, *Slavery and Rebellion* 93: 'Spartacus was thought to have been a figure who was surrounded by an aura of religiosity.'

79 Plut. *Crass*. 8.3. Cf. Dumont, *Servus* 286.

80 Flor. 2.8.9:

> *Quin defunctorum quoque proelio ducum funera imperatoriis celebravit exsequiis, captivosque circa rogum iussit armis depugnare, quasi plane expiaturus omne praeteritum dedecus, si de gladiatore munerarius fuisset*.

81 App. *Civ*. 1.117.545. In my view, this passage does not support the view of Dumont, *Servus* 286: 'Il n'hésite d'ailleurs pas à faire massacrer les captifs qui alourdissent sa marche.' Probably more than mere coincidence is the correspondence between the ritual execution of 300 Romans by Spartacus and the same measure that Octavian ordered following the fall of Perusia in 40 BC. There, 300 senators and *equites* were killed in honour, we are specifically told, of Julius Caesar.

For references and discussion see D. Kienast, *Augustus. Prinzeps und Monarch*, Darmstadt 1982, 39 and n. 169.

82 For more on this see below, pp. 122–3.
83 App. *Civ*. 1.119.553.
84 Flor. 2.8.7: *decus iusti exercitus*.
85 App. *Civ*. 1.116.542. Flor. 2.8.6.
86 Flor. 2.8.6: *ferrum ergastulorum*.
87 App. *Civ*. 1.117.547.
88 Ibid.
89 Dumont, *Servus* 269; 290 (quotation).
90 Plin. *Nat*. 33.49 (after Timaeus): *Cum sciamus interdixisse castris suis Spartacum nequis aurum haberet aut argentum, tanto plus fuit animi fugitivis nostris.*
91 Athen. 233 A. Plat. *Leg*. 742 A. Xen. *Lak. pol*. 7.6. See Dumont, *Servus* 291.
92 So already Vogt, 'Zur Struktur' (n. 13), 36.
93 App. *Civ*. 1.116.541. Bradley, *Slavery and Rebellion* 93, considers this an authentic quality of Spartacus, 'a special inducement for encouraging discontented agricultural workers to join the growing movement'. In my opinion, here we have one element of the robber theme: Spartacus' characteristics, already noted, are suspiciously similar to those of other *latrones* of the same type.
94 App. *Ib*. 75.318. Cf. Diod. 33.1.3, 5; 33.21a. Cic. *Off*. 2.40. See above, pp. 42–3.
95 App. *Civ*. 1.119.554–120.555.
96 Flor. 2.8.12: *pudoremque Romanum Licinius Crassus adseruit*.
97 Sall. *Hist*. 4.22 Maurenbrecher. App. *Civ*. 1.119.552. Plut. *Crass*. 10.2.
98 Tac. *Ann*. 3.21.1. Cf. above, p. 51, n. 152.
99 Plut. *Crass*. 11.7. App. *Civ*. 1.120.557. Several discrete units of Spartacus' army survived the defeat (App. *Civ*. 1.120.559). They hid away in the wilds of Lucania and Bruttium and lived by banditry. Verres was asked to provide help to pursue them (Cic. *Verr*. 2.5.15[34]; 19[40]), and remnants of them were still in existence at the time of the Catilinarian conspiracy (Suet. *Aug*. 3.7. Sall. *Cat*. 30.2; 42.1; 46.6; 56.5. Oros. 5.24.8. Cf. Maróti, 'De suppliciis' [n. 60], 53f.).
100 Flor. 2.8.14: *Spartacus ipse, in primo agmine fortissime dimicans, quasi imperator occisus est*. (Trans. Forster, Loeb)
101 Strab. 6.2.6 p. 273. Stein, *s.v.* Seluros, *RE* II A, 1921, 1323f.
102 Cf. Dumont, *Servus* 291f.: 'La leçon tirée par les Romains'.
103 Strab. 6.2.6 p. 273.
104 It is generally accepted that Selourus was a runaway slave: see K.M. Coleman, 'Fatal Charades: Roman Executions Staged as Mythological Enactments', *JRS* 80, 1990, (44–73) 53. In his case, however, the manner of his execution cannot be taken as an indicator of his unfree status: freeborn convicts (*perditi homines*: Cic. *Tusc*. 2.41) were also occasionally thrown to the beasts (Coleman, *art. cit.* 54). Selourus' single name and its likely Greek derivation may be taken as indicating servile status and an eastern Mediterranean origin, but should not be regarded as definite proof of this.
105 For Strabo's life see: R. Syme, 'When did Strabo Write?' in idem, *Anatolica. Studies in Strabo*, ed. Anthony Birley, Oxford 1995, 356–67. K. Clarke, 'In Search of the Author of Strabo's Geography', *JRS* 87, 1997, (92–110) 99ff.
106 Strab. 12.6.1–2 p. 567/8.
107 Strab. 10.5.3 p. 486. Strabo says that the execution took place in the Forum. Coleman, 'Fatal Charades' (n. 104), 53, notes that the amphitheatre of Statilius Taurus was dedicated in 29 BC, and would surely have been chosen as the venue for the spectacle if it had been available at the time.
108 Aug. *Res Gestae* 25.1.

109 In mythology Etna was the daughter of Uranus and Gaia, and gave her name to the volcano. The mountain also gave shelter to the forge of Hephaestus and the Cyclopes. See K. Ziegler, *s.v.* Aitne, *KlP* I, 1975, 204f.
110 Strab. 6.2.6 p. 273. Cf. Coleman, 'Fatal Charades' (n. 104), 53f. Shaw, 'Bandits', 20: 'The first known case of "throwing to the beasts" as a legal punishment was the death inflicted on a Sicilian bandit in the reign of Augustus.'
111 Coleman, 'Fatal Charades' (n. 104), 54: 'Hence the offender is humiliated by the expedient of associating the instrument of his execution with the symbol of his power.'
112 On human sacrifice as a means of banishing fear see H. Bellen, *Metus Gallicus – Metus Punicus. Zum Furchtmotiv in der römischen Republik* (AAWM 1985, 3), Stuttgart 1985. On human sacrifice under the Romans see J. Rives, 'Human Sacrifice among Pagans and Christians', *JRS* 85, 1995, 65–85. H. Dohrmann, *Anerkennung und Bekämpfung von Menschenopfern im römischen Strafrecht der Kaiserzeit*, Frankfurt-am-Main 1995.

4 POLITICIANS AND PRETENDERS AS *LATRONES*

1 I. Opelt, *Die lateinischen Schimpfwörter und verwandte sprachliche Erscheinungen. Eine Typologie*, Heidelberg 1965, 131ff. A. Milan, 'Ricerche sul *latrocinium* in Livio I: *latro* nelle fonti preaugustee', *AIV* 138, 1979/80, 171–97.
2 *Paneg. Lat*. 8 (ed. Mynors = 4 ed. Galletier), 16.4, on Carausius. (Trans. Nixon and Rodgers)
3 Cf. on this the sketch by R. MacMullen, 'The Roman Concept Robber-Pretender', *RIDA* 10, 1963, 221–5.
4 Cf. Milan, 'Ricerche' (n. 1), 184f.
5 E.g., Cic. *Cat.* 1.9.23: *exsulta impio latrocinio*; 1.10.27: *atque ut id, quod esset a te scelerate susceptum, latrocinium potius quam bellum nominaretur.* As a variant on *latro*, *gladiator* appears at 1.12.29. In 1.13.31 the whole movement is *latrocinium*, in the resumé at 1.13.33 the Catilinarians are *bonorum inimici, hostis patriae, latrones Italiae.*
6 Cic. *Cat.* 2.5.10: *nihil cogitant nisi caedem, nisi incendium, nisi rapinas.* (Trans. Lord, Loeb)
7 Cic. *Cat.* 2.1.1; 2.11.24: *apertum latrocinium*; *bellum iustum*; *illius latronis inopia atque egestate*.
8 Cic. *Cat.* 2.7.16: *tamen latrocinantem se interfici mallet quam exulem vivere*.
9 For references see below, n. 79; cf. also pp. 126–7, at nn. 130ff.
10 Cf. A. Giovannini, 'Catilina et le problème des dettes', in I. Malkin, Z.W. Rubinsohn, eds, *Leaders and Masses in the Roman World. Studies in Honour of Zvi Yavetz*, Leiden 1995, 15–32.
11 Opelt, *Schimpfwörter* (n. 1), 132f.
12 References to and discussion of Clodius as a *latro* in Milan, 'Ricerche' (n. 1), 185–8.
13 On the sharpening of the tone of disputes in domestic politics, with particular reference to Cicero's vocabulary of polemic, see W. Will, *Der römische Mob. Soziale Konflikte in der späten Republik*, Darmstadt 1991, 112ff.
14 Cic. *P. red. in sen*. 4.10: *qui me duo sceleratissimi post hominum memoriam non consules, sed latrones non modo deseruerunt in causa publica et consulari, sed prodiderunt* etc.; see Milan, 'Ricerche' (n. 1), 185.
15 Will, *Der römische Mob* (n. 13), 114f. with the references in n. 177, p. 183.
16 Plut. *Caes*. 30.6.
17 App. *Civ*. 2.72.301.
18 App. *Civ*. 2.140.586. Under the Principate, the killers of Julius Caesar (who, as late as Livy, could be called *viri insignes* without Augustus feeling slighted) were, as

Tac. *Ann*. 4.34.3 emphasises (and Val. Max. 1.5.7; 1.8.8 confirms), held to be *latrones et parricidae.*

19 Opelt, *Schimpfwörter* (n. 1), 132f.

20 Cassius Dio (47.8.3f.) has a dramatic scene in which Fulvia, the widow of Clodius, settles her account with the waspish orator in a very personal way – taking his lopped-off head on her knee and plunging a hairpin through his tongue. On the ambiguity of *lingua/glotta* (= tongue and articulacy, a gift for sharp speaking) together with the reception of this act of vengeance in early modern painting, see Will, *Der römische Mob* (n. 13), 112, n.*.

21 Cf. Milan, 'Ricerche' (n. 1), 189ff.

22 Cic. *Phil*. 4.6.15: *Est igitur, Quirites, populo Romano victori omnium gentium omne certamen cum percussore, cum latrone, cum Spartaco. Nam quod se similem esse Catilinae gloriari solet, scelere par est illi, industria inferior.* On the metonymic use of the name Spartacus see Opelt, *Schimpfwörter* (n. 1), 145.

23 Cic. *Phil*. 2.3.5–6.

24 Cic. *Phil*. 3.11.29. Similarly 5.3.6. (Trans. Ker, Loeb)

25 Cic. *Phil*. 6.2.4: *ita domesticis stupris, forensibus parricidiis delectatur*. (Trans. Ker, Loeb)

26 Cic. *Phil*. 2.25.62; 8.3.9.

27 Cic. *Phil*. 11.5.10; 13.7.16. Antony appears again as *gladiatorum dux* in 13.9.21. The expression suggests that it was Spartacus whom Cicero had in mind in conjuring up the terrifying image of a gladiator waging war on the state.

28 On the Roman image of the tyrant see K.F. Springer, *Tyrannus. Untersuchungen zur politischen Ideologie der Römer*, Cologne diss. 1952, and L. Wickert, *s.v.* princeps, *RE* XXII, 1954, (1998–2296) 2119ff.

29 F. Miltner, *s.v.* Pompeius no. 33, *RE* XXI 2, 1952, 2213–50. B. Schor, *Beiträge zur Geschichte des Sextus Pompeius*, Stuttgart 1978.

30 Aug. *Res gestae* 25.1.

31 Ibid. 27.3; cf. 25.1: *eo bello servorum* (. . .) *triginta fere millia capta dominis ad supplicium sumendum tradidi.* Attention is drawn to the suggestive ambivalence of *servorum* (contextually attached to *bello* but grammatically to *triginta fere millia capta*) by J. Fugmann, 'Mare a praedonibus pacavi' (Res gestae 25.1). Zum Gedanken der aemulatio in den Res Gestae des Augustus', *Historia* 40, 1991, (307–17) 310.

32 On the Roman slave wars see above, Ch. 3.

33 Lucan. 6.422.

34 Hor. *Epod*. 9.9f.; cf. 4.19: *latrones atque servilium manum*; cf. Flor. 2.18.1: *cum insuper ergastula armasset.*

35 Vell. 2.73.1: *libertorum suorum libertus servorumque servus*.

36 Ibid. 2.73.3. This last theme, in which the father, victor over the Cilician pirates, is contrasted favourably with the son, their imitator, is probably not original to Velleius but very likely a basic element of Augustan propaganda. The same contrast is also to be found in Manil. *Astron*. 1.919–921: *restabant profugo servilia milite bella, / cum patrios armis imitatus filius hostes / aequora Pompeius cepit defensa parenti.* Later Florus (2.18.2) took up the theme: *O quam diversus a patre! Ille Cilicas extinxerat, hic se pirata tuebatur*. Such propaganda was aimed specifically at Sextus' projection of his own image, which made much of his *pietas* towards his father (e.g., Cic. *Phil*. 5.39) and so proclaimed as one of his aims the rehabilitation of Pompey the Great in public opinion; on this see Miltner, 'Pompeius 33' (n. 29), 2246, and, for the representation of Sextus in the sources, ibid. 2247ff.

37 Plin. *Nat*. 16.7. As writers of a later era, Appian and Cassius Dio could give a more favourable judgement. Dio (48.17.3) offers an explanation as to why Sextus became a 'pirate': when he learned that his name was on the triumvirs' proscription lists, he built warships, recruited deserters and pirates and offered protection to political

refugees. Appian emphasises that Sextus' economic strength was based on banditry by land and sea (App. *Civ*. 5.25.100; cf. on his youth in Spain ibid. 5.143.596; cf. also ibid. 4.83.349 and above p. 39), but also mentions that numerous young men of good birth flocked to his side because he represented the right cause. The consensus of Appian (*Civ*. 4.25.105; 5.143.597) and Dio (45.10.3) in reporting that Sextus Pompey, himself proscribed by the triumvirs, not only took in the proscribed but also rewarded people in Italy for hiding them (he is supposed to have paid twice the amount that the triumvirs had placed on their heads), already reflects some positive evaluation. App. *Civ*. 5.143.597 even stresses that Sextus never went on the offensive against Octavian and Antony but only ever acted in his own defence. Working from hindsight as they do, the sources are naturally influenced by Sextus' ultimate failure. That the political leaders of the day, Octavian and Antony, sometimes collaborated with him, and when they did legalised his position (before 43 Antony appointed him *praefectus classis et orae maritimae* [Vell. 2.73.19]; in 43 he was proscribed; in 40 he again made an agreement with Antony [App. *Civ*. 5.50.218] which enabled him to put Octavian under so much pressure that in 39 the latter was forced to acquiesce in the Pact of Misenum; in 37 he fell out with both Octavian and Augustus; and so in 36 he was eliminated by Octavian) led to the paradoxical but for us very telling situation that the former pirate was officially commissioned to rid the seas of pirates (Plut. *Ant*. 32.2), only then again to become a pirate himself. It is a moot question as to which pirates Sextus was supposed to combat. In 67 BC, Pompey the Great had broken the pirate menace, but Sextus had revived it and now, given that as a result of his legalisation by the Pact of Misenum his 'pirates' had become a regular naval force, there could scarcely have been any others left.

38 Strab. 14.5.10 p. 672.

39 For the political history of the period of transition see E.S. Gruen, *The Hellenistic World and the Coming of Rome*, Berkeley 1984.

40 On Cilician piracy see the literature cited above, p. 60, n. 22 and now, above all, Pohl, *Piraterie*, esp. 13ff.

41 W. Hoben, *Untersuchungen zur Stellung kleinasiatischer Dynasten in den Machtkämpfen der ausgehenden römischen Republik*, Mainz diss., 1969.

42 Details in Pohl, *Piraterie* 259ff.

43 Strab. 14.5.7 p. 671. H. Gundel, *s.v.* Zeniketes, *RE* IX A, 1967, 2500–2. O. Benndorf, 'Historische Inschriften vom Stadtthor zu Xanthos', in *Festschrift Otto Hirschfeld*, Berlin 1903, (75–86) 83ff. H.A. Ormerod, 'The Campaigns of Servilius Isauricus against the Pirates', *JRS* 12, 1922, (35–56) 40–2; idem, *Piracy in the Ancient World. An Essay in Mediterranean History*, Liverpool 1924, repr. 1978, 216f. E. Ziebarth, *Beiträge zur Geschichte des Seeraubs und Seehandels im alten Griechenland*, Hamburg 1929, 34f. J. Vogt, 'Zur Struktur der antiken Sklavenkriege', in idem, *Sklaverei und Humanität. Studien zur antiken Sklaverei und ihrer Erforschung*[2], Wiesbaden 1972, 53. R. Syme, *Anatolica. Studies in Strabo*, ed. A.R. Birley, Oxford 1995, 158; 185; 279.

44 On the location see Ormerod, 'The Campaigns' (n. 43), 41. Idem, *Piracy* (n. 43), 216. E. Olshausen, *s.v.* Olympos 12, *KlP* IV, 1979, 294. Syme, *Anatolica* (n. 43), 208 and map 3, pp. 206f.

45 Cf. below, pp. 106–9.

46 Athen. 215 B-C. H. Berve, *Die Tyrannis bei den Griechen*, Munich 1967, I 429f.; II 723. Athenaeus gives no clue as to the date of the episode. Berve settles on the period 83–69 BC, when Cilicia was under the influence of Tigranes of Armenia. In this respect he cites Strabo's report (14.5.10 p. 672), referred to above, in which it is said that at this time the land had fallen into the hands of many tyrants and short-lived robber bands. In Berve's view, neither tyrannical control over a city nor

the pursuit of so sensational a programme (see here immediately below) is conceivable under Roman rule.

47 Athen. 215 C.

48 Cf. above, p. 61. On the origin and impact of such clothing see A. Alföldi, 'Gewaltherrscher und Theaterkönig' in K. Weitzmann, ed., *Late Classical and Medieval Studies in Honor of A.M. Friend Jr.*, Princeton 1955, 15–55.

49 Athen. 215 C. (Trans. Gulick, Loeb)

50 Dio 36.37.5.

51 On mass enslavement see H. Volkmann, *Die Massenversklavungen der Einwohner eroberter Städte in der hellenistisch-römischen Zeit*, 2nd ed., revised and enlarged by G. Horsmann (Forschungen zur antiken Sklaverei, 22), Stuttgart 1990; cf. my review, *ZRG* 109, 1992, 615–17. On Pompey the Great's settlement policy and its self-serving motive in the creation of a *clientela* see R. Ziegler, 'Ären kilikischer Städte und Politik des Pompeius in Südostkleinasien', *Tyche* 8, 1993, (203–19) 210–12.

52 Lucan. 9.222f. Strab. 14.5.18 p. 676. Stein, *s.v.* Tarcondimotus, *RE* IV A, 1932, 2297f. Hoben, *Zur Stellung kleinasiatischer Dynasten* (n. 41), 195–211. Shaw, 'Der Bandit' 351. Ziegler, 'Ären kilikischer Städte' (n. 51), 212, n. 51; 215. Idem, *Kaiser, Heer und städtisches Geld. Untersuchungen zur Münzprägung von Anazarbos und anderer ostkilikischer Städte* (Ergänzungsbände zu den *TAM*, 16 = ÖAW, Phil.-hist. Kl., Denkschriften, 234), Vienna 1993, 21f. etc. Syme, *Anatolica* (n. 43), 161–5.

53 Cic. *Fam.* 15.1.2: *fidelissimus socius trans Taurum amicissimusque p. R.* (Trans. Shackleton Bailey, Loeb)

54 Dio 41.63.1; 47.26.2; 50.14.2. Plut. *Ant.* 61.1, with the name-form *Tarkondemos*.

55 Dio 54.9.2. Syme, *Anatolica* (n. 43), 162.

56 E. Klebs, *s.v.* Antipatros no. 20, *RE* I, 1894, 2513. R. Syme, 'Observations on the Province of Cilicia', in *Anatolian Studies presented to W.H. Buckler*, Manchester 1939, (299–332) 309–12. Idem, 'Isauria in Pliny', *AS* 36, 1986, (159–64) 162. Idem, *Anatolica* (n. 43), 166; 238.

57 Strab. 12.1.4 p. 535; 12.6.3 p. 569: Derbe as *tyranneion of* Antipater. Syme, *Anatolica* (n. 43), 171 n. 49.

58 Ormerod, *Piracy* (n. 43), 193, accepted Strabo's judgement without question, and extended it to the inhabitants of the area ruled by Antipater in making the general assumption that they, under their leader, were also practising bandits.

59 Cic. *Fam.* 13.73.2.

60 *IGRR* III 1694.

61 Syme, 'Observations' (n. 56).

62 Strab. 12.8.8f. p. 574f. Stein, *s.v.* Kleon no. 6, *RE* XI, 1921, 718. Syme, 'Observations' (n. 56), 310. L. Robert, *Études Anatoliennes,* Paris 1937, 96–8. Guenther, *Latrocinium* 55. H.G. Gundel, *s.v.* Kleon, *KlP* III, 1975, 244f. Syme, *Anatolica* (n. 43), 117; 166; 169; 352.

63 Syme, 'Observations' (n. 56), 310: 'Cleon seems to have been an authentic brigand'.

64 Vogt, 'Zur Struktur' (n. 43), 53 (though I cannot agree with his proposed connection with Spartacus). Benndorf, 'Historische Inschriften' (n. 43), 83ff.

65 On private warfare see D. Timpe, 'Das Kriegsmonopol des römischen Staates', in W. Eder, ed., *Staat und Staatlichkeit in der frühen römischen Republik*, Stuttgart 1990, 368–87.

66 See B. Shaw, 'Tyrants, Bandits and Kings', for description and analysis of this phenomenon in the Middle East in the same period.

67 Cf. J.R. McNeill, *The Mountains of the Mediterranean World. An Environmental History*, Cambridge 1992, 117–19; 152–62; 266–71. A. Lewin, 'Banditismo e civilitas nella Cilicia antica e tardoantica', *QS* 76, 1991, 167–80.

68 Berve, *Tyrannis* (n. 46), 415f. G.W. Bowersock, 'Eurycles of Sparta', *JRS* 51, 1961, 112–18. D. Kienast, *Augustus. Prinzeps und Monarch*, Darmstadt 1982, 254 and

n. 326; 363 and n. 205, with further references, as also H. Bengtson, *Griechische Geschichte*[5], Munich 1977, 426f. and n. 4. M. Clauss, *Sparta*, Munich 1983, 89.

69 *Syll.*[3] 786.

70 Strab. 8.5.5 p. 366. Paus. 2.3.5; 3.14.6.

71 Plut. *Ant*. 67.3.

72 Ibid.

73 Plut. *Ant*. 23.

74 Jos. *Ant. Iud*. 17.2.1–3 (23–31). C. Colpe, *s.v.* Zamaris, *RE* IX A, 1967, 2308. E. Schürer, *The History of the Jewish People in the Age of Jesus Christ* (*175 BC–AD 135*), trans. and rev. G. Vermes and F. Millar, I, Edinburgh 1973, 338, n. 3. Shaw, 'Tyrants, Bandits and Kings' 199f.

75 Ibid. 200f.

76 Aug. *Res gestae* 1: *rem publicam a dominatione factionis oppressam in libertatem vindicavi*; ibid. 25: *mare pacavi a praedonibus*; 34: *bella civilia exstinxeram*.

77 Vell. 2.126.3: *pax Augusta per omnis terrarum orbis angulos a latrociniorum metu servat immunes*; cf. also 2.89.3f.

78 One exception is provided by Valerius Asiaticus, consul in AD 46, condemned as a *latro* by Claudius in his speech advocating acceptance of Gauls into the Senate: *CIL* XIII 1668 = *ILS* 212, col. II, v.15: *ut dirum nomen latronis taceam* etc.

79 Tac. *Ann*. 4.34. The remaining references to *latrones* in the 'Histories' (1.46; 2.58; 4.50) and the 'Annals' (2.52; 2.64; 2.85; 3.73; 12.27; 12.39; 12.54; 14.23; 15.1) mainly concern native resistance to Rome, as touched on for example above, pp. 48–55, in the case of Tacfarinas.

80 *P. Oxy*. I 33 = Wilcken, *Chrest*. 20 col. IV 8 = H. Musurillo, *Acts of the Pagan Martyrs*, Oxford 1954, 65–70; 214–20. Cf. *HA* Comm. 5, 6: *quos voluit, interemit, spoliavit plurimos, omnia iura subvertit, praedam omnem in sinum contulit*. On this see M. Rostovtzeff, *The Social and Economic History of the Roman Empire*[2], Oxford 1957, 590 n. 33. MacMullen, 'The Roman Concept Robber-Pretender' (n. 3), 222.

81 That *latro* and *gladiator* were also in common use as terms of disparagement in private speech is shown by Ulpian in the context of discussion of the legal force of the disinheritance of a son in a will that does not name him explicitly, but merely refers to him through a string of stinging insults (*Dig*. 28.2.3 pr.):

> *Et si pepercerit filium dicere, ex Seia autem natum dixit, recte exheredat: et si cum convicio dixerit 'non nominandus' vel 'non filius meus', 'latro', 'gladiator', magis est, ut recte exheredatus sit, et si ex adultero natum dixerit.*

82 On the concept of the tyrant in Late Antiquity see Th. Grünewald, *Constantinus Maximus Augustus. Herrschaftspropaganda in der zeitgenössischen Überlieferung*, Stuttgart 1990, 64–71. Idem, 'Constantinus Maximus Augustus: Zur Propaganda des Siegers über Maxentius', in *Atti dell'Accademia Romanistica Costantiniana, IX convegno internazionale*, Perugia 1993, 407–27. Picked up by: V. Neri, 'L'usurpatore come tiranno nel lessico politico della tarda antichità', in F. Paschoud, J. Szidat, eds, *Usurpationen in der Spätantike*, Stuttgart 1997, 71–86.

83 Cf. MacMullen, 'The Roman Concept Robber-Pretender' (n. 3), 221. Wickert, 'princeps' (n. 28), 2123. Grünewald, *Constantinus* (n. 82), 66.

84 *Paneg. Lat*. 10 (ed. Mynors = 2 ed. Galletier).12.1; 13.5; 8(4).6.1; 12.1; 12.2; 16.4; 18.3.

85 *Paneg. Lat*. 12(9).17.1.

86 Ibid. 3.5.

87 Pompon. *Dig*. 50.16.118 pr.: *'Hostes' hi sunt, qui nobis aut quibus nos publice bellum decrevimus: ceteri 'latrones' aut 'praedones' sunt.* See above, pp. 16–17, 39–40.

88 *Paneg. Lat*. 2(12).24.1; 24.6; 25.6; 26.2–4; 43.3; 45.5.

89 On this see now M. Mause, *Die Darstellung des Kaisers in der lateinischen Panegyrik*, Stuttgart 1994.

90 *PIR*^{2} F 162. *PLRE* I 339 *s.v.* Firmus 1. D. Kienast, *Römische Kaisertabelle*, Darmstadt 1990, 234f. R. Syme, *Ammianus and the Historia Augusta*, Oxford 1968, 3.

91 For the following see A. Rösger, 'Zur Herrscherterminologie der *Historia Augusta*: *princeps* und *purpuratus*', in *BHAC* 1977/78, Bonn 1980, (179–201) 184–6. F. Paschoud, 'Le tyran fantasmé: variations de l'*Histoire Auguste* sur le thème de l'usurpation', in Paschoud and Szidat, *Usurpationen* (n. 82), (87–98) 88–91.

92 *HA* Quadr. Tyr. 2.3, cf. *Aurelian*. 32.2.

93 *HA* Quadr. Tyr. 2.2: *quod latrunculum quendam a re publica removisset.* (Trans. Magie, Loeb)

94 Ibid. 2.3: *aut non semper latrones vocaverint magni principes eos quos invadentes purpuras necaverunt.*

95 Ibid.

96 On the term 'tyrant' see the works cited in n. 82. On *purpuratus* see Rösger, 'Herrscherterminologie' (n. 91), 186ff.

97 *HA* Tyr. Trig. 26.2: *. . . quem cum alii archipiratam vocassent, ipse se imperatorem appellavit . . . monetam etiam cudi iussit . . . palatium in arce Isauriae constituit*. (Trans. Magie, Loeb). *PLRE* I 922. Kienast, *Kaisertabelle* (n. 90), 226. J. Rougé, 'L'Histoire Auguste et l'Isaurie au IV^{e} siècle', *REA* 68, 1966, 282–315. Syme, *Ammianus* (n. 90), 47f. Minor, *Brigand* 45; 83. K. Hopwood, 'Consent and Control. How the Peace was kept in Rough Cilicia', in D.H. French and C.S. Lightfoot (eds), *The Eastern Frontier of the Roman Empire*, BAR Int. Ser. 553, Oxford 1989, (191–201) 196. Trebellianus is supposed to have been proclaimed emperor in Isauria during the sole reign of Gallienus. It is possible that he headed an Isaurian separatist movement. The *Historia Augusta* claims that he was defeated and killed by one of Gallienus' commanders, an Egyptian called Camsisoleus (*Tyr. trig.* 26.4). However, the historicity of both these individuals, as of the affair as a whole, is questionable. According to Rougé, who has (*art. cit.* 284, 287–90) laid out in detail the reasons for thinking in such a fashion, and Syme (*op. cit.*), in 'Trebellianus' we have yet another of the *Historia Augusta*'s fictional characters, introduced here to bring up the number of the 'Tyrants' to 30 (a significant figure in historical terms). The mention of Trebellianus at Eutr. 9.8 should therefore be regarded as apocryphal.

98 *Paneg. Lat.* 12(9).16.3; 10(2).24.1.

99 *HA* Quadr. Tyr. 5.4; 4.1–3.

100 A. Lippold, 'Die Herkunft des Kaisers C. Iulius Verus Maximinus', in *Bonner Festgabe für Johannes Straub*, Bonn 1977, 261–75. Minor, *Brigand* 32. Shaw, 'Bandits' 36. A. Lippold, *Kommentar zur Vita Maximini Duo der Historia Augusta*, Bonn 1991, 62f.

101 *HA* Maxim. 2.1: *Et in prima pueritia fuit pastor, iuvenum etiam procer, et qui latronibus insidiaretur et suos ab incursionibus vindicaret*; cf. Herodian. 6.8.1. See above, pp. 35–6.

102 *HA* Maxim. 2.2: *erat enim magnitudine corporis conspicuus, virtute inter omnes milites clarus, forma virili decorus, ferus moribus, asper, superbus, contemptor, saepe tamen iustus.*

103 Herodian 7.1.2. *HA* Maxim. 2.5.

104 Ibid. 2.7; 3.5; cf. 6.8f.

105 Ibid. 9.6.

106 Ibid. 1.5f.

107 *HA* Max. Balb. 2.10: *vos senatum a latronibus vindicate, vobis bellum contra latrones mandamus*. On this see V. Rosenberger, *Bella et expeditiones. Die antike Terminologie der Kriege Roms*, Stuttgart 1992, 119: 'the disparaging characterisation of individuals as latrones, bandits, constituting no real threat, is also a typical indicator of civil war.' (Rosenberger previously says that at this point the author of the *Historia Augusta* (*HA*) may well give us the text of the senatorial minute, in which 'under no circumstances might we expect an opponent in a civil war to be mentioned by

name'; but cf. *HA* Max. Balb. 2.11: *hostis publicus Maximinus cum filio pereat, hostem publicum vos persequimini*.)

108 *Epit*. 28.4: *patre nobilissimo latronum ductore*. E. Groag, *s.v.* Iulius no. 341 (Marinus), *RE* X, 1917, 670–72. *PIR*^{2} I 407. Herz, '*Latrocinium* und Viehdiebstahl' 230.

109 E.g., Strab. 7.5.12 p. 318 and. 7.6.1 p. 319; Liv. 38.46.6; 38.49.7 (Thracians); Strab. 11.7.1 p. 508; Amm. 16.10.20; 17.12.2 (Scythians and Sarmatians); Strab. 16.1.26 p. 747 (Arab Scenitae).

110 Lact. *Mort*. 19.6:

> *sublatus nuper a pecoribus et silvis, statim scutarius, continuo protector, mox tribunus, postridie Caesar, accepit orientem calcandum et conterendum, quippe qui neque militiam neque rem publicam sciret, iam non pecorum, sed militum pastor.*
>
> (Trans. Creed)

111 *HA* Quadr. Tyr. 12.1ff. Eutr. 9.17.1. Aur. Vict., *Caes*. 37.2. *PIR* P 739. *PLRE* I 745, *s.v.* Proculus 1. Kienast, *Kaisertabelle* (n. 90), 252f. Minor, *Brigand* 46f.

112 *HA* Quadr. Tyr. 12.1: *domi nobilis sed maioribus latrocinantibus atque adeo pecore ac servis et iis rebus quas abduxerat dives.*

113 Ibid. 12.5: *ipse quoque latrociniis adsuetus, qui tamen armatam semper egerit vitam.*

114 Ibid. 13.3: *numquam aliter quam latrocinandi pugnans modo.*

115 Ibid. 12.7.

116 K. Schneider, *s.v.* Latrunculorum ludus, *RE* XII, 1925, 980–4.

117 *HA Quadr. Tyr*. 13.2. Cf. also Paschoud, 'Le tyran fantasmé' (n. 91), 90f.

118 Cf. above, n. 87.

119 Aur. Vict. *Caes*. 39.26: *His sane omnibus Illyricum patria fuit; qui, quamquam humanitatis parum, ruris tamen ac militiae miseriis imbuti, satis optimi rei publicae fuere.*

120 Zos. 1.69f. Stein, *s.v.* Lydios, *RE* XIII, 1927, 2205. D. Magie, *Roman Rule in Asia Minor*, vol. II, Princeton 1951, 1577. F. Paschoud, *Zosime, Histoire Nouvelle I*, Paris 1971, 60 and 175f. = note 98 to Zos. 1.69. F. Minor, *Brigand* 85f. Shaw, 'Der Bandit' 351. Cremna was investigated by the British Archaeological Institute at Ankara in 1985–87. The Roman siege works were discovered and these confirm the essentials of Zosimus' account. On this see S. Mitchell, 'The Siege of Cremna' in D.H. French, C.S. Lightfoot, eds, *The Eastern Frontier of the Roman Empire*, Oxford 1989, 311–28, esp. 323–5. Idem, *Cremna in Pisidia*, London 1995, 177–218.

121 Zos. 1.69.1. Zosimus mistakenly calls Cremna a city in Lycia.

122 Zos. 1.69.2.

123 Zos. 1.69.3.

124 Zos. 1.69.4.

125 Zos. 1.70.1.

126 Zos. 1.70.2.

127 Zos. 1.70.3f.

128 Zos. 1.70.5.

129 Unrest and rebellion in Isauria: Strab. 12.6.2 p. 568. Dio 55.28.3 (AD 6). *HA* Tyr. Trig. 26 (AD 260/268: Trebellianus, see above). *HA* Prob. 16.5 (AD 276/282: Palfuerius, see below). Amm. 14.2 (AD 354); 19.13; 19.14.2. *CIL* III 6733 = *ILS* 740 (AD 359). Amm. 27.9.6f. (AD 368). *Exp. Tot. Mund*. 45. *Peregr. Aeth*. 23.4 (fourth/fifth century). MacMullen, *Enemies* 262f. Rougé, 'L'Histoire Auguste et l'Isaurie' (n. 97), 282ff. Syme, *Ammianus* (n. 90), 43ff. Minor, *Brigand* 82ff. K. Hopwood, 'Consent and Control' (n. 97). Idem, 'Policing the Hinterland: Rough Cilicia and Isauria', in S. Mitchell, ed., *Armies and Frontiers in Roman and Byzantine Anatolia. Proceedings of a colloquium held at University College, Swansea in April 1981*, London 1983, 173–7. H. Hellenkemper, 'Legionen im Bandenkrieg – Isaurien im 4. Jahrhundert', in *Studien zu den Militärgrenzen Roms, III. 13. Internationaler Limeskongreß, Aalen 1983*, Stuttgart 1986, 625–34. Lewin, 'Banditismo' (n. 67), 175f.

130 Rougé, 'L'Histoire Auguste et l'Isaurie' (n. 97), esp. 301. Hellenkemper, 'Legionen' (n. 129).
131 *HA* Prob. 16.4–6; 19.8. Stein, *s.v.* Palfuerius, *RE* XVIII, 1949, 97. See generally the literature on Lydius, above n. 97.
132 Rougé, 'L'Histoire Auguste et l'Isaurie' (n. 97), 282–315. For a more detailed review of research see Paschoud, *Zosime* (n. 120), I 176 (= note 98 to Zos. 1.69f.).
133 Against the identification: Stein, *s.v.* Lydios, *RE* XIII, 1927, 2205. Idem., *s.v.* Palfuerius, *RE* XVIII, 1949, 97. Syme, *Ammianus* (n. 90), 49. Minor, *Brigand* 112f. n. 19. Mitchell, 'The Siege of Cremna' (n. 120), 313f.
134 *HA* Prob. 19.8.
135 Ibid. 16.5: *facilius est ab istis locis latrones arceri quam tolli*.
136 Ibid. 16.6: *ne latrocinare umquam discerent.* E. Ritterling, *s.v.* legio, *RE* XII, 1925, 1348, derives the three Isaurian legions of the Diocletianic period (*Not. Dign.* Or. 7, 56) from this measure. Hopwood, 'Consent and Control' (n. 97), 196, questions this on the grounds that there is no archaeological or epigraphic evidence for Probus' settlement policy. But Hopwood's interpretation of Probus' measure – as anticipatory of Diocletianic-Constantinian reforms making military service hereditary (*Cod. Theod.* 7.21.1) – works only by assuming their historicity.

5 *LEISTAI* IN JUDAEA

1 For the province see S. Applebaum, 'Judaea as a Roman Province: the Countryside as a Political and Economic Factor', *ANRW* II 8, 1977, 355–96. On the political history of the regions see E. Schürer, *The History of the Jewish People in the Age of Jesus Christ* (*175 BC–AD 135*), ed. and rev. by G. Vermes and F. Millar, vol. I, Edinburgh 1973, 243ff. D.R. Schwartz, *Agrippa I. The Last King of Judaea*, Tübingen 1990. Idem, *Studies in the Jewish Background of Christianity*, Tübingen 1992. J.S. McLaren, *Power and Politics in Palestine. The Jews and the Governing of Their Land, 100 BC–AD 70*, Sheffield 1991. J.J. Price, *Jerusalem under Siege. The Collapse of the Jewish State, 66–70 CE*, Leiden 1992.
2 E.g., Jos. *Bell. Iud.* 2.9.2 (169–71): Pilate had Roman military standards bearing the imperial likeness brought to Jerusalem, thereby injuring the religious feelings of followers of a religion without images.
3 The full depth of the social conflict between rich and poor within Jewish society is shown in the dramatic burning by Sicarii of certificates of indebtedness held in the Temple archive at Jerusalem as one of the first incidents of the Jewish War: Jos. *Bell. Iud.* 2.17.6 (425–8). On this see M. Goodman, *The Ruling Class of Judaea. The Origins of the Jewish Revolt against Rome AD 66–70*, Cambridge 1987, 57f. Cf. also P. Brunt, 'Josephus on Social Conflicts in Roman Judaea', in idem, *Roman Imperial Themes*, Oxford 1990, 282–8.
4 The power struggle between opposing groups within 'the ruling class of Judaea' as the original catalyst for conflict in the Jewish War was brought into the picture by Goodman, *Ruling Class* (n. 3). For the other causes and catalysts of the war, see Goodman's review of the traditional factors, 5ff. (incompetence of Roman governors; demands of the imperial government; wounding of Jewish religious sensibilities by non-Jews; conflict at the confluence of many religions and cultures [see also the following note], concluding, 19:

> A plausible solution to the problem is to posit that an amalgam of all these causes was responsible: an event like the outbreak of war is not simple, and the disparate factors suggested may have interacted in quite complex ways. (. . .) It seems to me that elucidation of one further cause which has hitherto been ignored may provide, when taken together with

the other factors already discussed, a crucial link in the chain of causation (. . .): the power struggle within the Jewish ruling class.

5 Most recently, F. Millar, *The Roman Near East 31 BC–AD 337*, Cambridge/London 1993, 351ff., has drawn attention to the implications of the tensions between 'Hellenism' and 'Judaism'.

6 R.A. Horsley and J.S. Hanson, *Bandits, Prophets, and Messiahs. Popular Movements in the Time of Jesus*, Minneapolis/Chicago/New York 1985, 88ff., Chs 3 and 4. Goodman, *Ruling Class* (n. 3), 89ff.

7 Cf. D.M. Rhoads, *Israel in Revolution 6–74 CE*, Philadelphia 1976, 65f.

8 Matthew 26.55; 27.38; 27.44. Mark 14.48; 15.27. Luke 22.52. John 18.40. Cf. K.H. Rengstorf, *s.v. leistes*, *Theol. Wörterbuch zum Neuen Testament*, IV, 1942, new impr. 1962, 262–7.

9 Cf. Rengstorf, *leistes* (n. 8), 266, on the Good Samaritan (Luke 10.25–37):

> The very nature of the Zealots, *in combining their own subsistence with the destruction of their enemies* [my emphasis], means that it is very likely that Jesus had them in mind as the *leistai* of this parable.

In this context it is unimportant that Rengstorf erroneously refers to these *leistai* as Zealots – a movement which, according to Josephus, occurred no earlier than the outbreak of the war: cf. below, nn. 22 and 88.

10 R.A. Horsley, 'The Sicarii: Ancient Jewish "Terrorists"', *JR* 59, 1979, 435–58. Idem, 'Josephus and the Bandits', *JSJ* 10, 1979, 37–63. Idem, 'Ancient Jewish Banditry and the Revolt against Rome, AD 66–70', *Catholic Biblical Quarterly* 43, 1981, 409–32. Horsley and Hanson, *Bandits* (n. 6), 48–87 = Ch. 2: Ancient Jewish Social Banditry (quotation at 77). R.A. Horsley, *Jesus and the Spiral of Violence. Popular Jewish Resistance in Roman Palestine*, San Francisco 1987, 33–43.

11 On Hobsbawm, *Bandits*, see above, pp. 11–12

12 Cf. Goodman, *Ruling Class* (n. 3), 60f.

13 Horsley, *Jesus and the Spiral of Violence* (n. 10), 37.

14 Horsley, 'Ancient Jewish Banditry' (n. 10), 432. Cf. R.A. Horsley, 'Menahem in Jerusalem. A Brief Messianic Episode among the Sicarii – Not "Zealot Messianism"', *NT* 27, 1985, (334–48) 336: '. . . the term lestai (brigands) is used by Josephus not as a pejorative epithet for members of the Zealot movement, but primarily with reference to actual groups of brigands.'

15 A. Blok, 'The Peasant and the Brigand: Social Banditry Reconsidered', *CSSH* 14, 1972, 494–503, with Hobsbawm's rejoinder, ibid. 503–5. See most recently S. Brunk, '"The Sad Situation of Civilians and Soldiers": The Banditry of Zapatismo in the Mexican Revolution', *AHR* 102, 1996, (331–53) 332f.

16 Blok, 'The Peasant' (n. 15), 500.

17 On the life and work of Flavius Josephus cf. Schürer, *History* (n. 1), 43–63 and, now, the contributions of M. Hadas-Lebel, G. Jossa and M. Goodman in the collection by F. Parente and J. Sievers, eds, *Josephus and the History of the Greco-Roman Period. Essays in Memory of Morton Smith*, Leiden 1994.

18 Jos. *Bell. Iud.* 2.16.4 (352–6).

19 Jos. *Bell. Iud.* 5.9.3 (365f.). (Trans. Thackeray, Loeb)

20 Cf. M. Broshi, 'The Credibility of Josephus', in G. Vermes, J. Neusner, eds, *Essays in Honour of Yigael Yadin* (= *JJS* 33, 1982), Totowa 1983, 379–84. Goodman, *Ruling Class* (n. 3), 5.

21 Cf. Rhoads, *Israel in Revolution* (n. 7), 159–62, esp. 160:

> By applying this term (sc. *leistai*/brigands) to various revolutionary groups, Josephus was impugning their motives, implying falsely that they were not different from common highway robbers and that their intentions were solely a desire for material gain.

22 Influential, but controversial, is the study of M. Hengel, *Die Zeloten*, Leiden 1961. She has, justifiably, been criticised for using the terms Zealots, Sicarii and *leistai* indiscriminately, as if these were synonyms, arbitrarily deployed by Josephus, standing for a unified Jewish resistance movement, the Zealots: cf. G. Baumbach, 'Zeloten und Sikarier', *ThLZ* 90, 1965, 728–40. M. Smith, 'Zealots and Sicarii: Their Origins and Relation', *HThR* 64, 1971, 1–19. Horsley, 'The Sicarii' (n. 10). Idem, 'The Zealots. Their Origin, Relationships and Importance in the Jewish Revolt', *NT* 28, 1986, 159–92. These studies now make it possible to discern in the Zealots and the Sicarii two quite distinct movements, which combined, under external pressure, only in the last phase of the siege of Jerusalem. The Zealots appear to have formed only after the outbreak of war: at any rate, Josephus uses the name for the first time in the context of the year 68 (see below, n. 88). The Sicarii were much older than the Zealots. Horsley is probably correct in terming them a sort of urban guerrilla movement, targeting terror attacks in particular on members of the pro-Roman priestly aristocracy. Though Josephus termed both Zealots and Sicarii *leistai*, such a generalisation does not allow us to conclude that all three terms meant the same thing, given that most of the *leistai* he mentions were neither Zealots nor Sicarii.

23 Cf. the similar assessment by Goodman, *Ruling Class* (n. 3), 60 n. 15.

24 Cf. also the critical remarks of S. Freyne, 'Bandits in Galilee: A Contribution to the Study of Social Conditions in First-Century Palestine', in J. Neusner *et al.*, eds, *The Social World of Formative Christianity and Judaism. Essays to Howard Clark Kee*, Philadelphia 1988, 50–68.

25 Jos. *Ant. Iud.* 14.9.2 (159f.). *Bell. Iud.* 1.10.5 (204f.). Horsley, 'Ancient Jewish Banditry' (n. 10), 413. Idem, 'Josephus and the Bandits' (n. 10), 53–6. I. Benjamin, 'Bandits in Judaea and Arabia', *HSCPh* 88, 1984, (171–203) 176f. Freyne, 'Bandits' (n. 24), 55–8.

26 Accepted as such, but still included under the model of the social bandit by Horsley and Hanson, *Bandits* (n. 6), 64:

> The Galilean brigands pursued by Herod in 38 were clearly an important part of the continuing opposition to Herod as he attempted to consolidate his own power as the Romans' client king.

Cf. the conclusion of Freyne, 'Bandits' (n. 24), 58:

> Our argument has been that the brigands who appear in Galilee at the beginning of Herod's reign do not fit the category of social bandits, at least as described by Horsley. Their activity is not directed toward vindicating the oppressed peasantry but is motivated rather by animosity toward those who were about to usurp their social position as large landowners within the province.

27 Jos. *Bell. Iud.* 1.10.5 (205).

28 Jos. *Ant. Iud.* 15.5.1 (119f.), esp. § 120. On this see Shaw, 'Tyrants, Bandits and Kings' 186f.

29 Jos. *Bell. Iud.* 2.4.1 (56). *Ant. Iud.* 17.10.5 (271f.).

30 Jos. *Bell. Iud.* 2.4.2 (57–9). *Ant. Iud.* 17.10.6 (273–6).

31 Jos. *Bell. Iud.* 2.4.3 (60–3). *Ant. Iud.* 17.10.7 (278–84).

32 Cf. above, pp. 84–6.

33 Jos. *Bell. Iud.* 2.4.3 (62).

34 Jos. *Ant. Iud.* 17.10.8 (285).

35 See the account of this phase in Schürer, *History* (n. 1) 330ff.

36 Benjamin, 'Bandits' (n. 25), 178f.

37 The chronological distribution of the 'bandit references' is clear from the table in Shaw, 'Tyrants, Bandits and Kings', 204, fig. 2 (Correction to Table I: *Antiquitates* 16 contains not '11' but just 1 reference to *archileistes*). This shows a concentration

of references in the reign of Herod I, followed by a gap, beginning with the provincialisation of Judaea (AD 6) and running to the middle of the first century. A new wave of 'bandit references' starts in the build-up to the Jewish War, reaching its peak during the conflict.

38 Jos. *Ant. Iud.* 20.1.1 (5). Horsley, 'Ancient Jewish Banditry' (n. 10), 414. Benjamin, 'Bandits' (n. 25), 181. For Fadus see *PIR*^{2} C 1636; on the procurators of Judaea in the period AD 44–66 see Schürer, *History* (n. 1), 455–70.

39 Jos. *Bell. Iud.* 2.12.3–6 (232–44); *Ant. Iud.* 20.6.1 (118–24). Cf. Tac. *Ann*. 12.54. Horsley, 'Ancient Jewish Banditry' (n. 10), 414f. and Benjamin, 'Bandits' (n. 25), 180 (both citing rabbinic sources on the leader, Eleazar). For Cumanus see *PIR* V 250.

40 Jos. *Bell. Iud.* 2.12.6 (241).

41 Jos. *Bell. Iud.* 2.12.5 (238). (Trans. Thackeray, Loeb)

42 Jos. *Bell. Iud.* 2.13.2 (253). For Antonius Felix see *PIR*^{2} A 828.

43 Josephus defines as *archileistai*: 1) Hezekiah: *Bell. Iud.* 1.10.5 (204); 2.4.1 (56); *Ant. Iud.* 14.9.2 (159); 17.10.5 (271). 2) 40 leading members of the opposition to Herod in Trachonitis: *Ant. Iud.* 16.9.1 (274). 3) Tholomaius: *Ant. Iud.* 20.1.1 (5). 4) Someone called Jesus, whom the city of Sepphoris, remaining loyal to Rome, sent to fight Josephus, who was at the time still a resistance leader: *Vita* 22 (105). 5) Eleazar ben Dinai: *Bell. Iud.* 2.13.2 (253). 6) Unnamed leaders of the rebellion in Jerusalem during the War: *Bell. Iud.* 2.14.1 (275); 4.3.3 (135); 5.1.5 (30).

44 Horsley, 'Menahem in Jerusalem' (n. 14).

45 Menahem was probably the grandson, but hardly – as Josephus claims – the son of Judas: Horsley, 'Menahem in Jerusalem' (n. 14), 341. On Judas see Horsley, 'The Sicarii' (n. 10), 442ff.

46 Jos. *Bell. Iud.* 2.8.1 (118); *Ant. Iud.* 18.1.1 (4). Cf. also Acts 5.37. On Quirinus see *PIR* S 732.

47 Jos. *Ant. Iud.* 18.1.6 (23). Cf. M. Black, 'Judas of Galilee and Josephus' Fourth Philosophy', in O. Betz *et al.*, eds, *Josephus-Studien*, Göttingen 1974, 45–54.

48 Jos. *Bell. Iud.* 2.17.8 (434).

49 Jos. *Bell. Iud.* 2.17.9 (441).

50 Given the many 'kings' mentioned by Josephus among the Jewish rebels, I find it difficult to understand the observation of Horsley, 'Menahem in Jerusalem' (n. 14), 339: 'Menahem is one of the very few figures described as a "king" by Josephus.' The gloss that follows – 'In other cases of these popularly acclaimed "kings" Josephus mentions only actions and relationships of a social and political-military sort' – is not convincing.

51 Jos. *Ant. Iud.* 18.9.1–8 (310–70). Shaw, 'Tyrants, Bandits and Kings' 179–84. Cf. also J. Neusner, *A History of the Jews in Babylonia, I: The Parthian Period*^{2}, Leiden 1969, 54–61. N.G. Cohen, 'Asinaeus and Anilaeus: Additional Comments to Josephus' "*Antiquities of the Jews*"', *Annual of the Swedish Theological Institute* 10, 1975/76, 30–7.

52 On the chronology see Shaw, 'Tyrants, Bandits and Kings' 183 and n. 21.

53 Jos. *Ant. Iud.* 18.9.1 (315).

54 Diod. 5.34.6f. and above, p. 38.

55 Shaw, 'Tyrants, Bandits and Kings' 183.

56 Cf. Shaw, 'Tyrants, Bandits and Kings' 179; 184.

57 Cf. Shaw, 'Tyrants, Bandits and Kings' 202:

> Finally, to answer the question: why were Anilaios and Asinaios never labelled 'bandits'? Because, in that world of power and its attendant ideologies, there simply did not exist such a pervasive category or label. Only the creation of states of the Greek or Roman type made possible the systematic categorization, and castigation, of this form of personal power.

58 Horsley, 'Ancient Jewish Banditry' (n. 10), 430–2, esp. 430: 'Like Pancho Villa, John of Gischala, the other principal leader of the insurgents in Jerusalem besides Simon bar Giora, had gotten his start in banditry.' Cf. Horsley, 'Josephus and the Bandits' (n. 10), 59:

> The final example of social banditry to be discussed, that of John, son of Levi (John of Gischala; War 2,585ff.; Life 71ff.), also illustrates how, in the circumstances of open rebellion, a local brigand could rise to become one of the principal leaders of the national revolt.

59 U. Rappaport, 'John of Gischala. From Galilee to Jerusalem', in Vermes and Neusner, *Essays in Honour of Yigael Yadin* (n. 20), 479–93.
60 Jos. *Vita* 10 (43).
61 Rappaport, 'John of Gischala' (n. 59), 479f.
62 Jos. *Bell. Iud.* 2.20.6 (575).
63 Jos. *Bell. Iud.* 2.21.1 (585–8); 4.2.1 (85).
64 Jos. *Bell. Iud.* 2.21.1 (585). Given the poverty and greed that were supposed to be behind his unscrupulous political ambition, John the *leistes* might, just like Catiline the *latro*, have become an object lesson of moral teaching: cf., for example, Q. Cic. *Comm. Pet.* 8. Cic. *Cat.* 1.27; 2.8; 2.18; 2.24. Sall. *Cat.* 5.7.
65 Jos. *Bell. Iud.* 4.3.13 (213).
66 Jos. *Bell. Iud.* 2.21.1 (587).
67 Goodman, *Ruling Class* (n. 3), 201f.
68 Ibid.
69 Baumbach, 'Zeloten und Sikarier' (n. 22), 731, deduces from the two accounts that John belonged to the old landed aristocracy, which had become impoverished as a result of the Hellenistic economic reforms. This would explain his hostility to things Roman, which were equated with those Hellenistic. In this sense see Horsley, 'Ancient Jewish Banditry' (n. 10), 431: 'he may have stemmed from a notable family now impoverished.'
70 Jos. *Bell. Iud.* 2.21.1 (587–9).
71 Jos. *Vita* 10 (43).
72 Jos. *Bell. Iud.* 2.21.3 (595ff.).
73 On the period of composition of the *Vita* (just before AD 100) see Schürer, *History* (n. 1), 54; 481.
74 Jos. *Vita* 13 (71–5).
75 Jos. *Vita* 13 (70).
76 Jos. *Bell. Iud.* 2.21.2 (591f.).
77 Jos. *Bell. Iud.* 2.21.3–5 (595ff.).
78 Jos. *Bell. Iud.* 2.21.2 (594).
79 Cf. Jos. *Bell. Iud.* 2.21.7 (627).
80 E.g., Jos. *Bell. Iud.* 2.21.3–4 (595–609).
81 Jos. *Bell. Iud.* 2.21.7 (627).
82 Jos. *Bell. Iud.* 2.21.8–10 (632ff.).
83 Jos. *Bell. Iud.* 4.2.1f. (84ff.). On these events see Rappaport, 'John of Gischala' (n. 59), 482–5.
84 Jos. *Bell. Iud.* 4.2.3 (103).
85 Jos. *Bell. Iud.* 4.2.4 (106f.). Cf. Rappaport, 'John of Gischala' (n. 59), 485f.
86 Jos. *Bell. Iud.* 4.2.5 (115).
87 Jos. *Bell. Iud.* 4.3.1ff. (121ff.).
88 Jos. *Bell. Iud.* 4.3.9 (160f.). Cf. Rappaport, 'John of Gischala' (n. 59), 487ff.
89 Jos. *Bell. Iud.* 4.3.13f. (209ff.).
90 Jos. *Bell. Iud.* 4.7.1 (390).
91 Jos. *Bell. Iud.* 4.9.10 (559), for AD 68.
92 Jos. *Bell. Iud.* 4.9.11f. (566ff.).

93 Stein, *s.v.* Eleazaros no. 12, *RE* V, 1905, 2246.
94 Jos. *Bell. Iud.* 5.1.2–5 (5ff.).
95 Jos. *Bell. Iud.* 5.3.1 (105); 5.6.1 (248ff.).
96 Jos. *Bell. Iud.* 5.6.4 (277).
97 Jos. *Bell. Iud.* 5.11.4f. (466ff.).
98 Jos. *Bell. Iud.* 5.13.6 (563).
99 Jos. *Bell. Iud.* 6.2.1f. (93ff.); 6.2.4 (128).
100 Jos. *Bell. Iud.* 6.6.1–3 (318ff.).
101 Jos. *Bell. Iud.* 6.7.3 (372f.).
102 Jos. *Bell. Iud.* 6.9.4 (434).
103 Stein, *s.v.* Simon no. 11, *RE* V A, 1927, 176–9. K. Ziegler, *s.v.* Simon no. 7, *KlP* V, 1975, 207. Baumbach, 'Zeloten und Sikarier' (n. 22), 727–39. O. Michel, 'Studien zu Josephus: Simon bar Giora', *NTS* 14, 1967/68, 402–8. G. Fuks, 'Some Remarks on Simon Bar Giora', *SCI* 8/9, 1985–8, 106–19.
104 Jos. *Bell. Iud.* 2.19.2 (521).
105 Jos. *Bell. Iud.* 4.9.3–4 (503–13).
106 Jos. *Bell. Iud.* 4.9.3 (508). Baumbach, 'Zeloten und Sikarier' (n. 22), 735: 'How he operated shows that he sought to put into effect the social goals of the Sicarii.'
107 Tacfarinas collected together bandits, vagrants and starvelings: Tac. *Ann.* 2.52; cf. above, pp. 48–55. Like Simon, T. Curtisius, an Italian troublemaker of AD 24, called upon slaves to flee to freedom: Tac. *Ann.* 4.27. In AD 69, the slave Geta gathered around himself, among others, the scum of the region: Tac. *Hist.* 2.72.1f.; cf. below, pp. 139–40. In the same year, the freedman Anicetus attracted the poorest of the poor, along with runaway slaves: Tac. *Hist.* 3.47.1–48.2; cf. below, pp. 150–1. The first false Nero was surrounded by deserters, slaves and the gullible: Tac. *Hist.* 2.8.9; cf. below, pp. 151–2.
108 [Caes.] *Bell. Gall.* 8.30.1.
109 Michel, 'Studien' (n. 103), 402f. (quotation: 402).
110 Ibid. 403.
111 Jos. *Bell. Iud.* 4.9.3 (508).
112 Cf. Herodian 1.10.3 and below, p. 132.
113 Cf. below, p. 126.
114 Jos. *Bell. Iud.* 4.9.4 (510).
115 Michel, 'Studien' (n. 103), 402.
116 Jos. *Bell. Iud.* 7.5.6 (154f.). Dio 66.7.
117 Jos. *Bell. Iud.* 4.9.5–7 (514ff.).
118 Jos. *Bell. Iud.* 4.9.8 (538–44).
119 Jos. *Bell. Iud.* 5.4.9 (541).
120 Michel, 'Studien' (n. 103), 405.
121 Jos. *Bell. Iud.* 4.9.10–12 (556ff.).
122 Jos. *Bell. Iud.* 5.1.2–3 (5ff.). Tac. *Hist.* 5.12.
123 Jos. *Bell. Iud.* 5.6.4 (277).
124 Jos. *Bell. Iud.* 7.5.6 (154f.).
125 L. Yarden, *The Spoils of Jerusalem on the Arch of Titus. A Re-Investigation*, Stockholm 1991.
126 Jos. *Bell. Iud.* 7.9.1 (389ff.).
127 *Newsweek*, 19 March 1973, 22. On this see J. Cobet, 'Masada. Mythos, Archäologie und Geschichte', *Babylon. Beiträge zur jüdischen Gegenwart* 10/11, 1992, (82–109) 82, and now N. Ben-Yehuda, *The Masada Myth. Collective Memory and Mythmaking in Israel*, Madison/London 1995, 243–9.
128 Cobet, 'Masada. Mythos' (n. 127), 97ff. (quotation: 99). See also S.J.D. Cohen, 'Masada: Literary Tradition, Archaeological Remains, and the Credibility of Josephus', in Vermes and Neusner, *Essays in Honour of Yigael Yadin* (n. 20), 385–405.

129 Cobet, 'Masada. Mythos' (n. 127), 91f. (with bibliography). Cohen, 'Masada' (n. 128), 394ff.
130 Thuc. 1.22.1; on this see what is, in my opinion, the still unsurpassed commentary of Ed. Meyer, *Geschichte des Altertums*[5], Bd. IV 1, Darmstadt 1954, 250f.
131 A. van Hooff, *Zelfdoding in de antieke wereld*, Nijmegen 1990, 303 (references); 114ff. for the motif of *desperata salus*. See also Cohen, 'Masada' (n. 128), 386–92 (listing of and commentary on 16 cases).
132 Liv. 21.14.1f. Val. Max. 6.6 ext. 1. Valerius Maximus dates the incident *post duorum . . . Scipionum stragem*, which cannot be true. For the context see J. Seibert, *Hannibal*, Darmstadt 1993, 70f.
133 Cohen, 'Masada' (n. 128), 393, details this attitude with examples from the speech of Eleazar.
134 Virg. *Aen*. 6.856f. For *clementia* as an expression of the power of the victor cf. M. Treu, 'Zur clementia Caesars', *MH* 5, 1948, 197–217. E. Konik, 'Clementia Caesaris, als System der Unterwerfung der Besiegten', in T. Yuge, M. Doi, eds, *Forms of Control and Subordination in Antiquity*, Tokyo 1988, 226–38.
135 For Viriatus see above, pp. 45–7, for Bulla Felix below, p. 118.
136 Dio 66.6.3.
137 Jos. *Bell. Iud.* 1.7.5 (150).
138 Jos. *Bell. Iud.* 4.1.10 (79). The supposition of Cobet, 'Masada. Mythos' (n. 127), 91 and n. 75, that, without wishing to disparage female bravery, given the way the ancient mind worked the only survivors of Masada could have been women, gains strength from the observation that in Gamala there were also *female* survivors, who were later able to tell of the dramatic scenes there.
139 Jos. *Bell. Iud.* 3.8.5 (361ff.).
140 Jos. *Bell. Iud.* 3.8.7 (388f.).
141 Jos. *Bell. Iud.* 3.8.7 (391).
142 Elias Canetti sees the operation as a piece of calculated deceit on the part of Josephus. In Canetti's study 'The Survivor' (part of the work 'Mob and Power', Hamburg 1960), special attention is paid to the case of Josephus, 'because, as far as I know, there is no other example in world literature of a survivor's account like this' (p. 24 of the separate impression of 'Der Überlebende', Frankfurt (Suhrkamp) 1975). According to Canetti, Josephus' attitude is typical of 'the deception of all leaders' (p. 33): 'They speak as if they would precede their followers to death. But what happens is that they send these off to destruction before them, in order to stay alive a bit longer themselves.'
143 Josephus also explained and justified his basic renunciation of suicide by reference to the consequent violation of God's command that man had no right freely to dispose of the life that He had given him.: *Bell. Iud.* 3.8.5 (369–71).

6 IMPERIAL CHALLENGERS: BULLA FELIX AND MATERNUS

1 For Severus' itinerary see H. Halfmann, *Itinera principum. Geschichte und Typologie der Kaiserreisen im römischen Reich* (HABES, 2), Stuttgart 1986, 216ff., esp. 219.
2 A.R. Birley, *The African Emperor: Septimius Severus*, London 1988, 155ff. (= *Septimius Severus. The African Emperor*, London 1971, 224ff., revised).
3 Dio 76.3.1ff. Herodian 3.11.1ff. Birley, *African Emperor* (n. 2), 161ff. (= *Septimius Severus* 232ff.).
4 Dio 76.7.4ff.
5 Dio 76.7.1–3.
6 Dio 76.10. W. Henze, *s.v.* Bullas, *RE* III, 1899, 1051. Bellen, *Sklavenflucht* 104f.; 132f. Van Campen, *Latrocinium* 25–8. Birley, *African Emperor* (n. 2), 169 (= *Septimius*

Severus 242f.). Shaw, 'Bandits' 46–9. Sünskes Thompson, *Aufstände*, 196–8. Minor, *Brigand* 33–6. See also F. Kolb, 'Wirtschaftliche und soziale Konflikte im Römischen Reich des 3. Jhs. n. Chr.', in *Bonner Festgabe für Johannes Straub*, Bonn 1977, (277–95) 286f.

7 Dio's period of two years is not precise. From the order of the fragments of his own 'History' events may be set in the period between the fall of Plautianus in January 205 and the British expedition of early 208; cf. below n. 56.

8 *HA Sept. Sev.* 18.6: *latronum ubique hostis.*

9 On this see above, p. 5.

10 Dio 76.10.1.

11 Bulla as a female *cognomen* appears in a funerary inscription from Narona (Dalmatia): *CIL* III 1818, l.6: *Riccia L(ucii) f(ilia) Bulla*. *Byllis* as a slave name occurs in *CIL* XI 5657. *CIL* VI 20021, the funerary inscription of a C. Iulius Cornelius Fortunatus, mentions (l.5) someone called *Bullis.* To judge from his transcription of this as *Bullas*, Henze, Bullas (n. 6), appears to have assumed a Greek origin, although there is no evidence for this.

12 On this see M.R. Alföldi in *AAWM* (forthcoming) – reference kindly provided by H. Bellen. See too W.H. Gross, *s.v.* Bulla, *KlP* I, 1975, 969f.; H. Le Bonniec, *s.v.* Bulla, *LAW*, 1965, 520, where, from Macr. *Sat.* 1.6.9, the *bulla* as an amulet containing protective talismans is assigned Etruscan origins; it then became part of the costume of a Roman *triumphator*. M. Restle, *s.v.* Herrschaftszeichen, *RAC* 14, 1988, 937–66, makes no mention of the *bulla.*

13 J. Straub, *s.v.* Commodus, *RAC* III, 1957, 256. A. Alföldi, *Die monarchische Repräsentation im römischen Kaiserreiche*, Darmstadt 1970, 207. J. Gagé, *s.v.* felicitas, *RAC* VII, 1969, 711–23. L. Zieske, *Felicitas. Eine Wortuntersuchung*, Hamburg 1972, 34–41 (*felicitas imperatoria*). H. Wagenvoort, 'Felicitas imperatoria', in idem, *Pietas. Selected Studies in Roman Religion*, Leiden 1980, 59–83. E. Wistrand, *Felicitas imperatoria*, Göteborg 1987.

14 A possible objection to a close link between Bulla and Felix should not be ignored. This is that Cassius Dio mentions the nickname 'Felix' only after he has introduced Bulla (76.10.1; 76.10.4). But what he says here – *prosonomasato* – can mean nothing else than 'he also went under the name of (Felix)', and so fails to contradict the assumption that Bulla was indeed addressed as Bulla Felix by his contemporaries.

15 Thus already Birley, *African Emperor* (n. 2), 168 (= *Septimius Severus* 242). Van Campen, *Latrocinium* 26. Some uncertainty in respect of the plausibility of the assonance of 'Bulla' und 'Sulla' is caused by the Greek transcription, which usually writes Sulla with *u* ('Sulla') but Bulla with *ou* ('Boulla'). However, the difference disappears in Latin orthography, so that the identification could at least sound reasonable to a Latin speaker.

16 On Sulla Felix: Vell. 2.27.5. App. *Civ.* 1.97.452. Plut. *Sulla* 34.2. J.P.V.D. Balsdon, 'Sulla Felix', *JRS* 41, 1951, 1–10. A. Keaveney, *Sulla. The Last Republican*, London 1982, 160. Linked to the ideology of the commander-in-chief and the emperor, *felicitas* then became particularly associated with military success: Cic. *Manil.* 28, picked up by Ammianus Marcellinus in his funeral elegy on Julian (25.4.1).

17 Dio 75.8.1.

18 I owe this point to Peter Herz, in discussion of my paper on Bulla Felix delivered to the Research Group on Ancient Slavery at the Mainz Academy of Sciences and Literature on 9 October 1996.

19 Dio 76.10.1–2.

20 Dio 56.43.3.

21 Dio 75.2.4. Stein, *s.v.* Claudius 2, *RE* III, 1899, 2667. P. Oliva, *Pannonia and the Onset of Crisis in the Roman Empire*, Prague 1962, 124. Shaw, 'Bandits' 43f.

J. Winkler, 'Lollianos and the Desperadoes', *JHS* 100, 1980, (155–81) 175 and n. 97. B. Isaac, 'Bandits in Judaea and Arabia', *HSCPh* 88, 1984, (171–205) 184.

22 Dio 76.1.3 claims, in describing wild beast fights presented on the occasion of Septimius Severus' *decennalia*, that it was now that the Roman public was given its first sight of a *corocotta*, a beast native to India. According to him, it looked like a strange mix of tiger, lion, dog and fox. This is contradicted by the author of the *Historia Augusta*, who claims (*HA* Ant. P. 10.9) that animals of this name had earlier been sent into the arena by Antoninus Pius; and Pliny the Elder knew the *corocotta*, at least by name, describing it once as a cross between dog and wolf (*Nat*. 8.30) and again as one between a hyena and a lioness (*Nat*. 8.45). On Dio 76.1.3 see E. Cary, *Dio's Roman History*, Loeb ed. vol. 9, Cambridge/London 1969, 240f. L. Friedländer, *Roman Social Life and Manners*, vol. 2, London 1908, repr. New York 1965, 73.

23 According to Dio – 56.43.3 – the Princeps did not proceed against people who had caused harm in blind fury; occasionally, he gave his trust to those who did not deserve it.

24 Dio 76.10.3.

25 Kolb, 'Wirtschaftliche und soziale Konflikte' (n. 6), 287, points out, in respect of a contemporary papyrus (*P. Oxy.* XII 1408, AD 210–14), 'that such *latrones* found support not only among villagers and the clientele of disreputable rural taverns, but also among great landowners'. The papyrus concerns a decree of the Prefect of Egypt, Baebius Iuncinus, to the *strategoi* of the nomes of Heptanomia and Arsinoë. The crucial passage runs: 'It is clear to all that it is impossible to eradicate bandits without dealing with those who give them aid. However, if they are deprived of their helpers, we will punish them without delay, etc.'

26 Hobsbawm, *Bandits* 34ff.

27 Sen. *Epist*. 14.9. Cf. above p. 21.

28 Cf. Kolb, 'Wirtschaftliche und soziale Konflikte' (n. 6), 287: 'it was the fiscal bureaucracy, headed by praetorian prefects perhaps already responsible for the maintenance of the army, that classed them [*sc.* the followers of Bulla Felix] as a robber band.'

29 *P. Oxy*. I 33 = Wilcken, *Chrest*. 20 col. IV 8 = H. Musurillo, *Acts of the Pagan Martyrs*, Oxford 1954, 65–70; 214–20. On this see M. Rostovtzeff, *The Social and Economic History of the Roman Empire*[2], Oxford 1957, 590 n. 33. R. MacMullen, 'The Roman Concept Robber-Pretender', *RIDA* 10, 1963, (221–5) 222.

30 *HA* Comm. 5.6. (Trans. Magie, Loeb)

31 Dio 74.8.4–9.4 (confiscations following the victory over Pescennius Niger); 76.7.4ff.; Herodian 3.8.7; *HA* Sept. Sev. 12.1 (executions and confiscations following the victory over Clodius Albinus). In his obituary of the emperor, Dio says that though Severus made money every way he could, to do so he never stooped to murder (76.16.1); cf. *HA* Sept. Sev. 12.2–4.

32 Dio 76.10.3.

33 'Handwerker' in the Artemis edition of Otto Veh, vol. 5, p. 372. 'Artisans' in the Loeb edition of E. Cary, vol. 9, p. 259.

34 Dio 63.29.2. The reference confirms that Dio was using *technites* in the sense proposed. Polybius employs it for 'actor' at 16.21.8. Other references in H.G. Liddell, R. Scott, H. St Jones, *A Greek-English Lexicon*[9], Oxford 1940, repr. 1977, 1785 *s.v. technites.* On associations of *technitai* as clubs for actors and poets see H. Leppin, *Histrionen. Untersuchungen zur sozialen Stellung von Bühnenkünstlern im Westen des Römischen Reiches zur Zeit der Republik und des Principats*, Bonn 1992, 91ff.

35 Dio 76.15.2. (Trans. Carey, Loeb)

36 Dio 76.10.3–5.

37 Xiphilinus' text has *tes patridos archon* which, according to Boissevain, may be a false rendering of *tes poleos archon*.
38 Dio 71.4; see also below pp. 121–2.
39 Dio 75.2.4.
40 For the insignia and dress of Roman emperors see the standard work of A. Alföldi, *Die monarchische Repräsentation* (n. 13), with Restle, 'Herrschaftszeichen' (n. 12), 937–66 (with bibliography).
41 Diod. 34/35.2.16 (insignia, dress); 22 (staff); 24 (regal name, 'Syrians'). Cf. Bradley, *Slavery and Rebellion* 59. See also above p. 61.
42 Dio 76.10.5. On this see also above, p. 9.
43 Athen. 265 B-266 E, after Nymphodorus of Syracuse (*FGrHist* 572 F 4). Escher, *s.v.* Drimakos, *RE* V, 1905, 1708. A. Fuks, 'Slave War and Slave Troubles in Chios in the Third Century BC', *Athenaeum* 46, 1968, 102–11. Bellen, *Sklavenflucht* 143. J. Vogt, 'Zum Experiment des Drimakos: Sklavenhaltung und Räuberstand', in idem, *Sklaverei und Humanität. Studien zur antiken Sklaverei und ihrer Erforschung*, supplementary vol. to 2nd ed., Wiesbaden 1983, 28–35. Dumont, *Servus* 236f. Bradley, *Slavery and Rebellion* 38–41.
44 Dio 56.16.3.
45 *HA* Pesc. 7.4; Sev. Alex. 26.6. W. Kunkel, *Herkunft und soziale Stellung der römischen Juristen*[2], Cologne 1967, 245ff.
46 Ulp. *Dig*. 7.1.15.1; 2: *Sufficienter autem alere et vestire debet secundum ordinem et dignitatem mancipiorum*.
47 Bellen, *Sklavenflucht* 105; 132; 144. Cf. already F. Millar, *A Study of Cassius Dio*, Oxford 1964, 147: '(Bulla) who held sway in southern Italy with a band of 600 men, mainly recruited from *slaves* [my emphasis] who had escaped from imperial estates.'
48 In line with Kolb, 'Wirtschaftliche und soziale Konflikte' (n. 6), 287: 'His following was drawn for the most part from imperial freedmen.' In individual cases 'Caesariani' can even denote freeborn members of the imperial workforce: P.R.C. Weaver, *Familia Caesaris. A Social Study of the Emperor's Freedmen and Slaves*, Cambridge 1972, 26.
49 Cf. Dio 56.32.1; 57.11.4; 58.19.6; 60.14.1; 16.2; 17.6; 31.2; 63.12.1; 27.3; 69.7.4; 72.10.2; 73.8.1; 4 (twice); 73.9.4; 76.6.2; 14.2; 77.3.3; 21.2 (twice); 78.10.3; 18.2; 79.14.2. Among these references, special mention should be made of 76.6.2, where *Kaisareioi* and *basilikoi apeleutheroi* are used together as synonyms. See also 78.18.2, where the distinction between *douloi* and *Kaisareioi* is made particularly evident. Cf. H. Chantraine, *Freigelassene und Sklaven im Dienst der römischen Kaiser. Studien zu ihrer Nomenklatur* (Forschungen zur antiken Sklaverei 1), Wiesbaden 1967, 278f. and n. 2 (previous literature).
50 Dio 76.6.2, cf. Birley, *African Emperor* (n. 2), 169 (= *Septimius Severus* 242).
51 L. Okamura, 'Social Disturbances in Late Roman Gaul: Deserters, Rebels, and Bagaudae', in T. Yuge, M. Doi, eds, *Forms of Control and Subordination in Antiquity*, Leiden 1988, (288–302) n. 33 at p. 291.
52 J. Hasebroek, *Untersuchungen zur Geschichte des Kaisers Septimius Severus*, Heidelberg 1921, 102. M. Rostovtzeff, *SEHRE* (n. 29), 411. Birley, *African Emperor* (n. 2), 169 (= *Septimius Severus* 242).
53 Dio 74.2.5.
54 This accords with the proposal by Kolb, 'Wirtschaftliche und soziale Konflikte' (n. 6), 287, that the *latrones* of the third-century 'Crisis' were no class warriors of a social revolutionary movement.
55 Dio 76.10.6–7.
56 This provides a hook on which to hang the chronology of what happened. War broke out in Britain before the personal intervention of Severus. The commanding

general on the Roman side was, in 207, the governor L. Alfenus Senecio: see Birley, *African Emperor* (n. 2), 170ff. (= *Septimius Severus* 244ff.). The arrival of the emperor is dated to late 207 or early 208: see Halfmann, *Itinera principum* (n. 1), 219. The period of two years which Dio gives for the duration of the activity of Bulla's band therefore probably comprised the years 205 to 207.

57 Cf. Shaw, 'Bandits' 47: 'the Bulla Felix legend is set within the context of a challenge to the formal authority of the emperor who is said to manage the hunting down of the bandit personally.'

58 *HA* Sept. Sev. 18.5. Zos. 1.8. *CIL* VI 234 = *ILS* 2011 (*Genio / exercitus qui / exstinquendis sae- / vissimis latronib(us) / fideli devotione / Romanae / e{x}pectationi / et votis / omnium / satis fecit*) may be associated with events to do with Bulla Felix, as already proposed by Dessau in his commentary on *ILS* 2011; *contra*, Sünskes Thompson, *Aufstände* 30.

59 M.P. Speidel, *Riding for Caesar. The Roman Emperors' Horse Guards*, London 1994, 63, considers that this officer who, as we shall see, managed to arrest Bulla, was a tribune of the *equites singulares Augusti*, remarking: 'Again the emperor was served well by his horse guard.' But this presupposes the historicity of the information which, given the high degree of stylisation of the whole account, I consider to be unproved and unprovable.

60 H.G. Gundel, *s.v.* Viriatus, *RE* IX A, 1961, 223. Cf. above, pp. 45–7.

61 Kunkel, *Herkunft* (n. 45), 224ff.

62 Dio 76.10.7.

63 Thus, persuasively, G. Alföldy, *The Social History of Rome,* London/Sydney 1985, 177. Similarly, albeit less definitely, Shaw, 'Der Bandit' 378: both men owed their position to one and the same power basis.

64 Alföldy, *Social History* (n. 63), 177. Concerning Theocritus, an imperial freedman and former dancing master of Caracalla, Dio 77.21.2 remarks drily: 'Thus, from a slave and a dancer, he rose to be commander of an army and prefect.' (Trans. Cary, Loeb) At 80.7.1f. Dio criticises the rise of a centurion and of the son of a doctor to key military positions and to senatorial rank.

65 Tac. *Ann*. 2.40: *Percunctanti Tiberio, quo modo Agrippa factus esset, respondisse fertur 'quo modo tu Caesar'*. Cf. below, pp. 141–2.

66 Dio 57.16.3–4. Cf. below, p. 140.

67 Dio 57.16.4.

68 Dio 76.10.7.

69 It has to be conceded that there is not full agreement since, in the case of Clemens, question and counter-question are pitched rather differently from that of Bulla Felix. 'How did you become Agrippa?'concerns the means, and is not the same as 'Why did you become a bandit?', which concerns the cause. However, no one would anyway wish to accuse Dio of the limp adoption of the tacitean model. The change from modal to causal would have been suggested to him by the different circumstances. Tiberius had no grounds for asking the slave why he had become Agrippa: no one knew this better than the emperor, who had conspired or was complicit in events (see above, p. 142). On the other hand, he had a very close interest in how Clemens had managed to pass himself off as Agrippa. Papinianus' concerns lay in the opposite direction: not how a person became a bandit, but why.

70 This is not the place to go into the *crux* as to whether Dio drew on Tacitus directly or indirectly; on this see most recently M. Hose, *Erneuerung der Vergangenheit. Die Historiker im Imperium Romanum von Florus bis Cassius Dio*, Stuttgart/Leipzig 1994, 411ff. (with bibliography). Both passages discussed here support the assumption of direct use of the *Annales* by Dio, not only because of the high degree of agreement as to concrete details but also, and predominantly, because of the identical conception of the bandit image.

71 Cic. *Rep*. 3.24: *Nam cum* (*sc. Alexander*) *quaereretur ex eo* (*sc. pirata*)*, quo scelere impulsus mare haberet infestum uno myoparone, 'Eodem', inquit, 'Quo tu orbem terrae.'* Cf. J. Vogt, 'Zur Struktur der antiken Sklavenkriege', in idem, *Sklaverei und Humanität*[2], Wiesbaden 1972, 50f. with n. 1 to p. 51.

72 Curt. 7.8.19: *At tu, qui te gloriaris ad latrones persequendos venire, omnium gentium adisti latro es*. On Curtius Rufus' unfavourable portrayal of Alexander see W.W. Tarn, *Alexander the Great*, Cambridge 1948, vol. 2, 101.

73 Sen. *Benef*. 1.13.3: *At hic a pueritia latro gentiumque vastator, tam hostium pernicies quam amicorum*. On hostility to Alexander among Peripatetics and Stoics see Tarn, *Alexander* (n. 72), 69.

74 Lucian *Dial. Mort*. 25.4.

75 Cf. Aug. *Civ*. 4.4.

76 Dio 76.10.7.

77 Ibid.

78 According to Bellen, *Sklavenflucht* 105.

79 Cf. above, p. 18, on Vell. 2.126.3 etc.

80 Dio 55.28.1–3; cf. 72.18.3; see above, pp. 5–6.

81 Millar, *Study* (n. 47), 43.

82 Cf. especially the sharp criticism at Dio 76.7.4–8.5, contrasted with the moderate obituary at 76.16.1–17.4. According to Hose, *Erneuerung der Vergangenheit* (n. 70), 408, in Dio's work Severus is a 'shifting shape'.

83 Millar, *Study* (n. 47), 139.

84 Cf. G. Alföldy, 'Zeitgeschichte und Krisenempfindung bei Herodian', *Hermes* 99, 1971, (429–49) 436f.

85 Dio 71.36.4. On this Millar, *Study* (n. 47), 122f. Alföldy, 'Zeitgeschichte und Krisenempfindung' (n. 84), 430. See also G. Alföldy, 'The Crisis of the Third Century as Seen by Contemporaries', *GRBS* 15, 1974, 89–111.

86 Millar, *Study* (n. 47), 43. Cf. Hose, *Erneuerung der Vergangenheit* (n. 70), 437–40, on tragic elements in Dio's historical writing, and for a corresponding observation on that of Tacitus: U. Knoche, 'Zur Beurteilung des Kaisers Tiberius durch Tacitus', *Gymnasium* 70, 1963, (211–26) 224; on this see below, p. 141.

87 Dio 71.4. *HA* Marc. 21.2; Avid. Cass. 6.7. Lucian *Alex*. 44 indicates that bandits were particularly numerous in Egypt under Marcus Aurelius. Stein, *s.v.* Isidorus no. 10, *RE* IX, 1914, 2062. On the Bukoloi as impoverished, fugitive Egyptians, runaways who turned to a life of crime in order to avoid starvation, cf. Rostovtzeff, *SEHRE* (n. 29), 348, 374. For the rising of 172, and for literary elaboration of the image of the Bukoloi: R. MacMullen, 'Nationalism in Roman Egypt', *Aegyptus* 44, 1964, 179–99. J. Schwartz, 'Quelques observations sur des romans grecs', *AC* 36, 1967, 536–52. Winkler, 'Lollianos' (n. 21), 175ff.

88 Strab. 17.1.6 p. 792; 17.1.19 p. 802. Caes. *Civ*. 3.112.3. For bucolic life on the Nile estuary cf. Hdt. 2.17; also Heliodor. 1.5.2–6.2.

89 *HA* Marc. 21.2; Avid. Cass. 6.7; for the Roman military presence in the Bukoloi region in the early third century see *BGU* II 625 = Wilcken, *Chrest*. 21, with Sünskes Thompson, *Aufstände* 179 and. n. 133.

90 Juvenal 15.33–93 also accuses Egyptians of cannibalism, although of course in a context of invective coloured by his personal antipathy and with details that cannot be historically authenticated. Philo, *Leg. ad Gaium* 19 describes atrocities perpetrated on Jews by the inhabitants of Alexandria.

91 The participants swear not to betray the group even if tortured horribly by the authorities, and they consume the victim's blood and flesh to confirm their oath in this extravagant violation of the usual *Eidopfer*.

Such an assessment, formulated in another context by Winkler, 'Lollianos' (n. 21), 171f., might well have been drawn from the scene described by Dio.

92 Sall. *Cat*. 22.1:

> *Fuere ea tempestate, qui dicerent Catilinam oratione habita, quom ad iusiurandum popularis sceleris sui adigeret, humani corporis sanguinem vino permixtum in pateris circumtulisse.*

Cf. Cic. *Cat*. 1.16. Flor. 2.12.4. Plut. *Cic*. 10.4. Dio 37.30.3. Tert. *Apol*. 9.9. Min. Fel. 30.5. On this see J. Rives, 'Human Sacrifice among Pagans and Christians', *JRS* 85, 1995, (65–85) 72f.; 79.

93 Sall. *Cat*. 22.3: *Nonnulli ficta et haec et multa praeterea existumabant ab iis, qui Ciceronis invidiam, quae postea orta est, leniri credebant atrocitate sceleris eorum, qui poenas dederant*. Later authors (Plut. *Cic*. 10.4. Dio 37.30.3), turn this purely symbolic act into actual human sacrifice. Rives, 'Human Sacrifice' (n. 92), 72, contends, I believe erroneously, that what Sallust describes was an authentic act of sacrifice. Catiline had no need to kill to obtain human blood (cf., for example, Lycurgus' transformation of what was originally human sacrifice in the whipping of ephebes, as reported by Pausanias, 3.16.9f.); and the binding effect of the draught of blood, as an act of initiation, would not have been diminished even if, as in the Christian sacrament, blood was replaced with some other liquid.

94 On this literary function of human sacrifice see Rives, 'Human Sacrifice' (n. 92), *passim*, e.g., 69: 'human sacrifice as a marker of barbarism'.

95 Cf. Rives, 'Human Sacrifice' (n. 92), 70–4: 'The enemy within.'

96 Achill. Tat. 3.5.6; 2.23.5 and 3.15.2–5 (apparent sacrifice to Leucippe); 3.10.2 (the particularly cruel heartlessness of Egyptian bandits).

97 Cf. F. Altheim, *Literatur und Gesellschaft im ausgehenden Altertum I*, Halle 1948, 121ff., with the works cited by Winkler, 'Lollianos' (n. 21), 175, n. 95f. and already H.F. Lutz, 'The Alleged Robbers' Guild in Ancient Egypt', *Univ. of California Publ. in Semitic Philology* 10, 1937, (231–41) 240f.

98 Winkler, 'Lollianos' (n. 21), 175ff.

99 Ibid. 177f.

100 To borrow a phrase from Géza Alföldy, 'Zeitgeschichte und Krisenempfindung' (n. 84), 431, Herodian's work should be regarded as 'an historical novel'. Idem, 'Bellum desertorum', *BJ* 171, 1971, (367–76) 367; 368. Cf. already E. Hohl, 'Kaiser Commodus und Herodian', *SAWDDR* 1954, 1, Berlin 1954, 5: 'histoire romancée'.

101 *HA* Comm. 16.2; Pesc. 3.3.

102 Herodian 1.10.1–7. Stein, *s.v.* Maternus no. 2, *RE* XIV, 1930, 2193. F. Grosso, *La lotta politica al tempo di Commodo*, Turin 1964, 441; cf. 235–9.

103 Millar, *Study* (n. 47), 123. Alföldy, 'Bellum desertorum' (n. 100), 374. F. Kolb, *Literarische Beziehungen zwischen Cassius Dio, Herodian und der Historia Augusta*, Bonn 1972, 6f.; 160f.

104 E.A. Thompson, 'Peasant Revolts in Late Roman Gaul and Spain', *P&P* 2, 1952, (11–23) 12–14.

105 G. Ch. Picard, 'La république des Pictons', *CRAI* 1982, (532–59) 555ff. Idem, 'La révolte de Maternus', *BSAF* 1985, 77–84.

106 Alföldy, 'Bellum desertorum' (n. 100). Hohl, 'Kaiser Commodus' (n. 100), 17–19.

107 Alföldy, 'Zeitgeschichte und Krisenempfindung' (n. 84).

108 Alföldy, 'Bellum desertorum' (n. 100), 373.

109 E.g. Shaw, 'Bandits' 44–6.

110 Van Dam, *Heretics, Bandits and Bishops* 121f.

111 D. Kienast, *Römische Kaisertabelle*, Darmstadt 1990, 147.

112 R. Egger, 'Die Wachstafel von Rottweil', *Germania* 36, 1958, 373–85, followed by *AE* 1959, 141.

113 Alföldy, 'Bellum desertorum' (n. 100), 371.

114 Herodian 1.10.1–2; 3–7.

115 Herodian 1.10.1.

116 Grosso, *La lotta politica* (n. 102), 441, followed by D. Kienast, *Gnomon* 38, 1966, 603. Bellen, *Sklavenflucht* 106. Minor, *Brigand* 29f.
117 *HA* Marc. 21.6f.
118 J.F. Gilliam, 'The Plague under Marcus Aurelius', *AJPh* 82, 1961, 225–51.
119 K.-W. Welwei, *Unfreie im antiken Kriegsdienst, 3. Teil: Rom* (Forschungen zur antiken Sklaverei, 21), Stuttgart 1988, 22–7. On Marius Maximus see Birley, *Septimius Severus* (n. 2), 308ff. (App. II: Marius Maximus).
120 Cf. Gilliam, 'The Plague' (n. 118), 149f.
121 For the chronology Welwei, *Unfreie* (n. 119), 22f.
122 Bellen, *Sklavenflucht* 106, following Grosso, *La lotta politica* (n. 102), 441.
123 Alföldy, 'Bellum desertorum' (n. 100), 372 with n. 27.
124 *HA* Comm. 13.5:

> *Victi sunt ab eo tamen, cum ille sic viveret, per legatos Mauri, victi Daci, Pannoniae quoque compositae, in Britannia, in Germania et in Dacia imperium eius recusantibus provincialibus.*

125 Cf. Rostovtzeff, *SEHRE* (n. 29), 398. Thompson, 'Peasant Revolts' (n. 104), 13f. Hohl, 'Kaiser Commodus' (n. 100), 18. Alföldy, 'Bellum desertorum' (n. 100), 372 and n. 28. Minor, *Brigand* 30. J.F. Drinkwater, *Roman Gaul*, London 1983, 80.
126 Herodian 1.10.1. Van Dam, *Heretics, Bandits and Bishops* 122, comments: 'In this way they seem to have built up local support among the rural population.' However, this is a faulty inference, since Maternus, in stark contrast with Bulla Felix, lacked one of the characteristic features of the 'noble' bandit, namely the precise targeting and considerate treatment of his victims, eschewing violence.
127 Eunous: Diod. 34/35.2.11f. Flor. 2.7.6. Athenion: Flor. 2.7.10. Spartacus: Flor. 2.8.5.
128 Jos. *Ant. Iud*. 18.9.1 (316). *Bell. Iud*. 2.21.1 (587): an attestably false statement: cf. above p. 101
129 Herodian 1.10.1.
130 Tac. *Ann*. 2.52. For Tacfarinas see above pp. 48–55.
131 Tac. *Ann*. 11.18.1–2; 11.19.2. Stein, *s.v.* Gannascus, *RE* VII, 1912, 707f. W. Sontheimer, *s.v.* Gannascus, *KlP* II, 1975, 691.
132 Tac. *Ann*. 11.18.1:

> *. . . Chauci . . . inferiorem Germaniam incursavere duce Gannasco, qui natione Canninefas, auxiliare stipendium meritus, post transfuga, levibus navigiis praedabundus Gallorum maxime oram vastabat, non ignarus dites et inbelles esse.*

133 Tac. *Ann*. 11.19.2: *nec inritae aut degeneres insidiae fuere adversus transfugam et violatorem fidei*. This amounts to specific exoneration of Corbulo's methods by Tacitus. It can be no accident that it stands in sharp contrast to Tiberius' attitude in steadfastly refusing to have Arminius removed by intrigue when the opportunity presented itself (*Ann*. 2.88.1). Cf. E. Koestermann, *Cornelius Tacitus, Annalen*, vol. III, Heidelberg 1967, 65 = commentary to *Ann*. 11.19.2, though it is no way certain, and perhaps even somewhat unlikely, that Tacitus devised the contrast in praise of Tiberius' nobility: so Koestermann. In my view this is rather a hidden sideswipe at Tiberius, using the example of the successful general, Corbulo, to accuse the emperor of not possessing sufficient breadth of vision to deal with the military situation. On this passage see also above p. 16 and n. 14.
134 Tac. *Ann*. 12.55. Stein, *s.v.* Troxoboris, *RE* VII A, 1939, 700.
135 After Troxoboris managed to seize the city of Anemurion, a Roman cavalry unit under Curtius Severus was called in from Syria specifically against him, but Troxoboris proved able to put it to flight. In the end, Antiochus of Commagene felt obliged to intervene, since the coastal area terrorised by Troxoboris ran into his own territory. He drove a wedge between Troxoboris and his followers by winning over the latter with promises (probably of safe conduct for their withdrawal) and at

the same time turning them against their leader by spreading false rumours about him. He had Troxoboris and his closest associates executed, and spared the rest: Tac. *Ann*. 12.55.

136 Herodian 1.10.2.

137 Van Dam, *Heretics, Bandits and Bishops* 121.

138 Hobsbawm, *Bandits* 35.

139 Bellen, *Sklavenflucht* 106.

140 Flor. 2.18.1: *ergastula armasset*.

141 Tac. *Ann*. 4.27. Stein, *s.v.* T. Curtisius, *RE* IV, 1901, 1863. *PIR*^{2} C 1606. The *cognomen* Curtisius has no parallels, cf. W. Schulze, *Zur Geschichte lateinischer Eigennamen*, Göttingen 1904, rev. O. Salomies, Hildesheim 1991, 236, n. 1; Curtilius appears as a *nomen* in *CIL* X 6254, cf. Schulze, *loc. cit.* 78. On Curtisius: Bellen, *Sklavenflucht* 96f. M. Reddé, *Mare nostrum. Les infrastructures, le dispositif et l'histoire de la marine militaire sous l'Empire Romain*, Paris 1986, 221. D. Braund, 'Piracy under the principate and the ideology of imperial eradication', in J. Rich, G. Shipley, eds, *War and Society in the Roman World*, London/New York 1993, (195–212) 207: 'In view of the proximity of pirate and bandit, it is no surprise to find sailors of the fleet acting against brigandage on land too [e.g., Tac. *Ann.* 4.27].' This statement is misleading, since in the events described 'the proximity of pirate and bandit' played no part; cf. n. 142 following.

142 Tac. *Ann*. 4.27: *ad libertatem vocabat agrestia* (. . .) *servitia*. Responsibility for the suppression of the imminent slave war was given to the quaestor, Curtius Lupus, who had as his province the care of the *calles*. (For *calles* as drove-ways see Koestermann, *Annalen* [as n. 133], II 103 = commentary to *Ann*. 4.27, and Bellen, *Sklavenflucht* 96, n. 679.) He was lucky to have under his orders three war vessels, which patrolled the Adriatic to protect shipping. As Bellen has convincingly demonstrated (op. cit. 96), contrary to what Tacitus says these did not turn up by accident (*velut munere deum*), but must have been ordered in. This allowed Curtius Lupus quickly to gather their crews and put down the revolt.

143 Herodian 1.10.1.

144 Pompon. *Dig*. 50.16.118 pr. *'Hostes' hi sunt, qui nobis aut quibus nos publice bellum decrevimus: ceteri 'latrones' aut 'praedones' sunt.* Cf. above, pp. 16–17.

145 *CIL* XI 6053: *quo militante cum liberata esset nova obsidione legio Pia Fidelis Constans Commoda cognominata esset.*

146 Alföldy, 'Bellum desertorum' (n. 100), 370f.

147 Herodian 1.10.2.

148 Thompson, 'Peasant Revolts' (n. 104), followed by Minor, *Brigand* 31f. A.E. Dimitrev, 'The Bagaudic movement' (in Russian), *VDI* 1940/3–4, 101–14. Cf. N.N. Belowa, 'Social movements in Gaul in the 1st and 2nd centuries C.E.' (In Russian), *VDI* 1952/4, 45ff. with Guenther, *Latrocinium* 86f.

149 See Drinkwater, *Roman Gaul* (n. 125), 80. Idem, 'Peasants and Bagaudae in Roman Gaul', *Classical Views* N.S. 3, 1984, 349–72. Idem, 'Patronage in Roman Gaul and the Problem of the Bagaudae' in A. Wallace-Hadrill, ed., *Patronage in the Ancient Society*, London 1989, 189–203. Okamura, 'Social Disturbances' (n. 51). On the Bagaudae see now also J.C.L. Sanchez, *Les sources de l'histoire des Bagaudes*, Paris 1996.

150 For the social composition of the Bagaudae see *Paneg. Lat*. 10 (ed. Mynors = 2 ed. Galletier). 4.3: *cum militaris habitus ignari agricolae appetiverunt, cum arator peditem, cum pastor equitem, cum hostem barbarum suorum cultorum rusticus vastator imitatus est*; Aur. Vict. *Caes*. 39.17: *excita manu agrestium ac latronum, quos Bagaudas incolae vocant*; Eutr. 9.20.3: *cum tumultum rusticani in Gallia concitassent et factioni suae Bacaudarum nomen imponerent*.

151 Drinkwater, 'Peasants and Bagaudae' (n. 149), 361: '. . . the picture that emerges of the Three Gauls in the second and third centuries AD is of a land in which the most obvious characteristic was the well-to-do peasant'; cf. Drinkwater, 'Patronage' (n. 149).
152 Drinkwater, 'Peasants and Bagaudae' (n. 149), 369.
153 Cf. Alföldy, 'Bellum desertorum' (n. 100), 374 and n. 44.
154 *AE* 1959, 141; see above n. 113, with Grosso, *La lotta politica* (n. 102), 435ff.; Alföldy, 'Bellum desertorum' (n. 100), 371.
155 Alföldy, 'Bellum desertorum' (n. 100), 371f.
156 S. Szádeczky-Kardoss, 'Iuliobona és Maternus felkelése', *ArchErt* 83, 1956, 18–23. *Contra*, Alföldy, 'Bellum desertorum' (n. 100), 372.
157 G. Mangard, 'L'inscription dédicatoire du théâtre du Bois l'Abbé à Eu (Seine-Maritime)', *Gallia* 40, 1982, 35–51.
158 Cf. above, p. 22.
159 Mangard, 'L'inscription dédicatoire' (n. 157), 43.
160 Picard, 'La république des Pictons' (n. 105), 555ff. Idem, 'La révolte de Maternus' (n. 105), 77–84.
161 H.-G. Pflaum, *Les carrières procuratoriennes équestres sous le Haut-Empire Romain*, vol. I, Paris 1960, 535ff. no. 196.
162 *CIL* III 1919 with 14224 = *ILS* 2770: *adversus Arm{oricano}s*.
163 A.R. Birley, *Soldier and Civilian in Roman Yorkshire*, Leicester 1971, 95, n. 80. Doubtful, Alföldy, 'Bellum desertorum' (n. 100), 373, n. 33.
164 H. Heinen, *Trier und das Trevererland in römischer Zeit*, Trier 1985, 85f. (with further bibliography).
165 Ibid.
166 *CIL* III 10471f.; 10473 = *ILS* 1153, all from Aquincum; for Castinus see *PIR*^{2} I 566; Birley, *African Emperor* (n. 2), 215 App. 2, no. 19.
167 Thus already R. Saxer, *Untersuchungen zu den Vexillationen des römischen Kaiserheeres von Augustus bis Diokletian*, Cologne/Graz 1967, 49, recently corroborated on the basis of other epigraphic evidence by Okamura, 'Social Disturbances' (n. 51), 289f., contrary to the proposition by Birley, *African Emperor* (n. 2), 176, that Castinus and his forces belong in the context of Septimius Severus' British campaign.
168 Herodian 1.10.3f.
169 Herodian 1.10.5–7.
170 *HA* Pesc. 3.3. On this see Alföldy, 'Bellum desertorum' (n. 100), 369f., citing and agreeing with the older literature. Shaw, 'Bandits' 45, accepts and attributes some symbolic significance to the participation of the three later rivals for power, Severus, Albinus and Niger, in their capacity as governors of the Three Gauls in the suppression of Maternus' revolt: 'It is a statist morality play in which the bandit (the anti-state) confronts the emperor (the state), albeit with a reversal of roles.' In my view, this is to overstretch the evidence, since the revolt remained confined to Germania Superior and the involvement of the governors of neighouring provinces is uncertain.
171 *AE* 1959, 141; see Alföldy, 'Bellum desertorum' (n. 100), 371.
172 Herodian 1.10.7.
173 Shaw, 'Bandits' 46.
174 See Hohl, 'Kaiser Commodus' (n. 100), 18f. Alföldy, 'Bellum desertorum' (n. 100), 373; 375 and n. 45. Shaw, 'Bandits' 46.
175 Quotation from Hohl, 'Kaiser Commodus' (n. 100), 3.
176 Alföldy, 'Bellum desertorum' (n. 100), 375f.
177 Herodian 1.10.3.
178 Dio 76.10.6.

179 On the end of Viriatus see above, pp. 45–7.
180 Tac. *Ann*. 4.26; cf. above, p. 52.
181 On Corocotta and Claudius see above, pp. 112, 115.
182 Alföldy, 'Bellum desertorum' (n. 100), 375f. (with earlier bibliography).
183 F. Cumont, *s.v.* Hilaria, *RE* VIII, 1913, 1597f. K. Latte, *Römische Religionsgeschichte*, Munich 1960, 342. C.R. Whittaker, *Herodian*, vol. I (Loeb Classical Library), London 1969, 65 (commenting on Herodian 1.10.5).
184 Cf. Shaw, 'Bandits' 48.

7 AVENGERS IN DYNASTIC CONFLICTS

1 Val. Max. 9.10 pr.: *Ultionis autem quemadmodum acres, ita iusti aculei sunt; qui lacessiti concitantur, acceptum dolorem dolore pensare cupientes*.
2 *Lex XII Tab*. 8.2. Cic. *Mil*. 4.9–11. Ulp. *Dig*. 43.16.1.27: *Vim vi repellere licere Cassius scribit, idque ius natura comparatur: apparet autem, inquit, ex eo arma armis repellere licere*. Paul. *Dig*. 9.2.45.4: . . . *vim enim vi defendere omnes leges omniaque iura permittunt*. Cf. Th. Mayer-Maly, *s.v.* vis, *RE* IX A, 1961, (310–47) 315–23. A.W. Lintott, *Violence in Republican Rome*, Oxford 1968, 22–34.
3 The process of transferring rights of vengeance from the individual to the state ran parallel to that of transferring the waging of war. On 'private vengeance' see Mayer-Maly, vis (n. 2), 315ff.: 'vis als Selbsthilfe'; on 'private war' cf. D. Timpe, 'Das Kriegsmonopol des römischen Staates', in W. Eder (ed.), *Staat und Staatlichkeit in der frühen römischen Republik*, Stuttgart 1990, 368–87. As far as I am aware, there is no research on the mentality and psychology of vengeance in Roman history. For Greek, however, see H.J. Gehrke, 'Die Griechen und die Rache. Ein Versuch in historischer Psychologie', *Saeculum* 38, 1987, 121–49.
4 Hobsbawm, *Bandits* 57ff.
5 Ibid. 14f.; 21; 35.
6 On Viriatus as avenger see above, p. 34.
7 E.g., Diod. 34/35.2.10; 2.13.
8 Cf. e.g., Jos. *Bell. Iud.* 4.6.1 (353–65).
9 Cf. Bellen, *Sklavenflucht* 6 and n. 14; 30f., but 127f. (runaway slaves did not generally aim illicitly to adopt free status).
10 Cf. e.g., *CIL* III 940 = W. Eck and J. Heinrichs, *Sklaven und Freigelassene in der Gesellschaft der römischen Kaiserzeit*, Darmstadt 1993, no. 45; *BGU* 193 = Eck / Heinrichs, *op. cit.*, no. 48. Bellen, *Sklavenflucht* 32f.
11 Cf. D. Kienast, *Augustus. Prinzeps und Monarch*, Darmstadt 1982, 5f.; P. Schrömbges, *Tiberius und die Res publica Romana*, Bonn 1986, 30–2.
12 On this see W. Schmitthenner, *Oktavian und das Testament Caesars. Eine Untersuchung zu den politischen Anfängen des Augustus*[2], Munich 1973. Kienast, *Augustus* (n. 11), 6 with n. 29 (lit.).
13 Aug. *Res gestae* 2: *qui parentem meum necaverunt, eos in exilium expuli iudiciis legitimis ultus eorum facinus et postea bellum inferentis rei publicae vici bis acie*. Cf. App. *Civ.* 3.12.41. Ov. *Met*. 1.200ff.
14 Suet. *Aug*. 13.1. Dio 47.49.2. Cf. Kienast, *Augustus* (n. 11), 200.
15 *Sed tolerabilis haec uni tantummodo anceps temeritas:* 9.15 pr.
16 In the following, therefore, I have not considered the examples at: 9.15.2; 3; 5; ext. 1. This also applies to the obscure episode at 79.18.1–3, where we have a false Alexander under Elagabalus; on this see Millar, *A Study of Cassius Dio*, Oxford 1964, 214–18 (= App. V). A. Rösger, 'Severus Alexander und Alexander der Große. Zu Herodian V 7 und Dio 79(80), 17–18', in W. Will, J. Heinrichs, eds, *Zu Alexander d. Gr. Festschrift G. Wirth*, vol. 2, Amsterdam 1988, 885–906.

17 On the rules of historiography and their effect on the recording of incidents of 'banditry' see above, pp. 5–6.
18 Tac. *Hist.* 2.72.1f. Bellen, *Sklavenflucht* 97f.
19 On Scribonianus Camerinus cf. *PIR* S 205; G.E.F. Chilver, *A Historical Commentary on Tacitus' Histories. I and II*, Oxford 1979, 232 (on Tac. *Hist.* 2.72.2): probably a son of M. Crassus Frugi, cos. 64.
20 Tac. *Hist.* 2.72.2.
21 Tac. *Ann.* 2.39–40. E. Groag, *s.v.* Clemens no. 1, *RE* IV, 1901, 10. J. Mogenet, 'La conjuration de Clemens', *AC* 23, 1954, 321–30. B. Levick, *Tiberius the Politician*, London 1976, 66; 112; 150–2.
22 Suet. *Tib.* 25.2: *Nam et servus Agrippae Clemens nomine non contemnendam manum in ultionem domini compararat*.
23 Dio 57.16.3–4. Millar, *Study* (n. 16), 218.
24 Cf. Tac. *Ann.* 1.3.4:
> *Nam senem Augustum devinxerat adeo, uti nepotem unicum, Agrippam Postumum, in insulam Planasiam proiecerit, rudem sane bonarum artium et robore corporis stolide ferocem, nullius tamen flagitii conpertum.*

25 Tac. *Ann.* 2.39.1: *ad exercitus Germanos*.
26 On Planasia see Strab. 2.5.19 p. 123; 4.1.10 p. 185. G. Radke, *s.v.* Planasia, *KlP* IV, 1979, 881f.
27 Levick, *Tiberius* (n. 21), 151.
28 Tac. *Ann.* 2.39.3: *. . . mox vago rumore apud inperitissimi cuiusque promptas aures aut rursum apud turbidos eoque nova cupientes*. Given the way that Tacitus expresses himself, *inperitissimi*, *turbidi* and *nova cupientes* amount to a classic recipe for revolution; on his choice of words and their force see above, p. 126.
29 Tac. *Ann.* 2.40.3: *quo modo tu Caesar*. On this see above, pp. 118–19.
30 Dio 57.16.3.
31 Dio 55.16.4.
32 On Tacitus' unfavourable depiction of Tiberius see G.A. Harrer, 'Tacitus and Tiberius', *AJPh* 41, 1920, 57–68. U. Knoche, 'Zur Beurteilung des Kaisers Tiberius durch Tacitus', *Gymnasium* 70, 1963, 211–26. C. Grassi, 'Ambiguità di Tacito nella valutazione di Tiberio', *Athenaeum* 67, 1979, 27–47. Schrömbges, *Tiberius* (n. 11), 131–9. J. Christes, 'Tacitus und die *moderatio* des Tiberius', *Gymnasium* 101, 1994, 112–34.
33 Knoche, 'Beurteilung' (n. 32), 224.
34 Tac. *Ann.* 2.40.1: *modo nihil spernendum, modo non omnia metuenda ambiguus pudoris ac metus reputabat*. (Trans. Moore and Jackson, Loeb)
35 Tac. *Ann.* 1.6: *Primum facinus novi principatus fuit Postumi Agrippae caedes, quem ignarum inermumque quamvis firmatus animo centurio aegre confecit.* Regarding the phrase *primum facinus novi principatus* cf. the parallel *novi principatus . . . primum specimen* (*Hist.* 2.64.1), used by Tacitus to describe the killing of Cornelius Dolabella, carried out *metu et odio* at Vitellius' command.
36 On him see V. Gardthausen, *s.v.* Iulius no. 128, *RE* X, 1918, 183ff.
37 Tac. *Ann.* 1.6: *. . . Agrippae caedes, quem ignarum inermumque quamvis firmatus animo centurio aegre confecit.*
38 A massive bibliography has built up on issues concerning Agrippa Postumus, in particular the reasons for his banishment (genuine mental instability, or a condition put forward by his enemies [Vell. 2.112. Suet. *Aug.* 65. Tac. *Ann.* 1.3f. Dio 55.32], a personal quarrel with Augustus), its conditions and consequences (*abdicatio?, emancipatio?, relegatio?, exheredatio?*), and the instigator of his death: M.P. Charlesworth, 'Tiberius and the Death of Augustus', *AJPh* 44, 1923, 279ff. (Augustus as the man who gave the order); E. Hohl, 'Primum facinus novi principatus', *Hermes*

70, 1935, 350–5 (Augustus gave the order, entrusting its execution to his loyal henchman, Sallustius Crispus); A.E. Pappano, 'Agrippa Postumus', *CPh* 36, 1941, 30–45 (Agrippa was, as representative of the Julian court-grouping and a popular favourite to succeed Augustus, sacrificed to the Claudian court-faction; those who engineered his death were Livia and Sallustius Crispus); W. Allen Jr., 'The Death of Agrippa Postumus', *TAPhA* 78, 1947, 131–9 (a speculative theory of doublets: Agrippa Postumus died a natural death [!]; historians transferred Sallustius Crispus' destruction of Clemens, the false Agrippa Postumus, to his master); R. Detweiler, 'Historical Perspectives on the Death of Agrippa Postumus', *CJ* 65, 1969/70, 289–95 (Tiberius was responsible for the death of his rival, Agrippa); B.M. Levick, 'Abdication and Agrippa Postumus', *Historia* 21, 1972, 674–97 (*abdicatio* linked with *emancipatio*), *contra*: S. Jameson, 'Augustus and Agrippa Postumus', *Historia* 24, 1975, 287–314 (*abdicatio* without *emancipatio*). Cf. Kienast, *Augustus* (n. 11), 114ff.; 122 and n. 223 (further references). M. Baar, *Das Bild des Kaisers Tiberius bei Tacitus, Sueton und Cassius Dio*, Stuttgart 1990, 92f.

39 Tac. *Ann.* 1.6 ponders: . . . *neque mortem nepoti pro securitate privigni inlatam credibile erat. Propius vero Tiberium ac Liviam, illum metu, hanc novercalibus odiis, suspecti et invisi iuvenis caedem festinavisse.* For Dio 57.3.5, Tiberius was the guilty party. Suet. *Tib.* 22 seeks to lay the blame on Augustus or Livia. Research on this issue (cf. n. 38) appears to have missed a contradiction in Suetonius' account: though Tiberius is supposed to have had nothing to do with the order of execution, the chapter opens with the information that Tiberius delayed announcing Augustus' death until Agrippa had been dealt with. He must, therefore, have at least been aware of the planned attack.

40 *PIR*^{2} S 61. Tac. *Ann.* 1.6: . . . *Sallustius Crispus particeps secretorum (is ad tribunum miserat codicillos)* etc.; ibid. 3.30: *interficiendi Postumi Agrippae conscius*. Cf. ibid. 2.40.1: *Postremo dat negotium Sallustio Crispo*. Jameson, 'Augustus and Agrippa Postumus' (n. 38), 314, holds Sallustius Crispus solely responsible for what happened, issuing the order for Agrippa's death without the knowledge or consent of Augustus, Livia or Tiberius: 'As to his personal motive, perhaps it arose from nothing more than a desire to be helpful to the new regime.'

41 Tac. *Ann.* 1.6: *Nihil de ea re Tiberius aput senatum disseruit*.

42 Tac. *Ann.* 5.10; cf. below, p. 145.

43 Tac. *Hist.* 1.4.2: *evulgato imperii arcano posse principem alibi quam Romae fieri*. On the role of the Roman army in the election of emperors in the first century see L. Schumacher, 'Herrschaftsübertragung im frühen Prinzipat: die Rolle von Senat, Volk und Heer bei der Kaisererhebung', *Index* 15, 1987, 315–32.

44 Tac. *Ann.* 2.39.1: *discordiis armisque civilibus rem publicam perculisset.*

45 Other than in the story of Clemens, the *Germanici exercitus* is described in Tac. *Hist.* 1.8.2 as 'given its strength, very dangerous' (*quod periculosissimum in tantis viribus*).

46 Tac. *Ann.* 1.35ff.; Suet. *Tib.* 25.2; Dio 57.5.

47 Suet. *Aug.* 19.

48 Levick, *Tiberius* (n. 21), 152, supposes powerful men behind Clemens as the instigators of the conspiracy (cf. also *Ann.* 2.40.3: *multi e domo principis equitesque ac senatores*!) thinking primarily of M. Scribonius Libo Drusus, on his mother's side a grandson of Sextus Pompeius, who, after the death of Augustus fell under suspicion of plotting the overthrow of Tiberius: Tac. *Ann.* 2.27f. Vell. 2.130.3. Suet. *Tib.* 25. Dio 57.15.4. Levick sees a connection in the fact that Libo was accused in the same year, AD 16, as Clemens was killed.

49 W.W. Buckland, *The Roman Law of Slavery*, Cambridge 1908, repr. 1970, 15ff. 252ff.

50 Dio 55.32.2.

51 Tac. *Ann.* 2.40.1 states this explicitly: . . . *cum Tiberium anceps cura distrahere, vine militum servum suum coerceret an inanem credulitatem tempore ipso vanescere sineret.*
52 Tac. *Ann.* 2.39.1.
53 Tac. *Ann.* 2.39.3: *inperitissimi, turbidi, nova cupientes*; ibid. 2.40.3: *multi e domo principis equitesque ac senatores*.
54 Tac. *Ann.* 5.10. Dio 58.25.1. MacMullen, *Enemies* 143. Cf. V. Gardthausen, *s.v.* Iulius no. 137 (Drusus Iulius Caesar), *RE* X, 1919, 434f. Levick, *Tiberius* (n. 21), 213. C.J. Tuplin, 'The False Drusus of AD 31 and the Fall of Sejanus', *Latomus* 46, 1987, 781–805.
55 The new incident aroused less attention than the one before. Suetonius appears to have thought it not worth a mention. Cassius Dio touches on it in passing (58.25.1), saying much the same as Tacitus.
56 According to Tacitus' chronology; Dio puts it three years later. See the detailed discussion of this, in the event confirming Tacitus, in Tuplin, 'The False Drusus' (n. 54), 782–5.
57 Tac. *Ann.* 4.60.2; 6.23.2. Suet. *Tib.* 54.2. Dio 58.3.8.
58 Tac. *Ann.* 5.9.
59 Cf. e.g., Christes, *moderatio* (n. 32) 124 and the references at n. 38.
60 *PIR*^{2} I 832. On the relationship: Tac. *Ann.* 3.24.3. Dio 59.8.5.
61 Following earlier studies, including Levick, Tiberius (n. 21), 213, Tuplin, 'The False Drusus' (n. 54), 786ff.; 797ff., considers the imposter's statement that he was of the house of M. Silanus as another of his inventions. According to Tuplin, he never revealed his true identity, changing only what he said about himself. This is probably true, but it remains odd that Tacitus nowhere mentions that anyone ever doubted this statement, including himself. In addition, it is hard to see any reason why he needed to change his story, or what good this might do him.
62 Tuplin, 'The False Drusus' (n. 54), 800, considers Dio's information unreliable on other grounds.
63 Chronology and references: E. Schürer, *The History of the Jewish People in the Age of Jesus Christ* (*175 BC–AD 135*), A new English version revised and edited by G. Vermes and F. Millar, vol. I, Edinburgh 1973, 292–4. Stemma: ibid. 614.
64 Jos. *Ant. Iud.* 15.10.1 (342).
65 Jos. *Bell. Iud.* 1.27.2ff. (538ff.).
66 Jos. *Bell. Iud.* 2.7.1–2 (101ff.); *Ant. Iud.* 17.12.1–2 (324ff.).
67 Jos. *Bell. Iud.* 2.7.1 (102); *Ant. Iud.* 17.12.1 (325).
68 Jos. *Ant. Iud.* 17.12.1 (325).
69 Jos. *Bell. Iud.* 2.7.1 (102).
70 Ibid. 103; *Ant. Iud.* 17.12.1 (327).
71 Jos. *Bell. Iud.* 2.7.1 (104f.); *Ant. Iud.* 17.12.1 (328).
72 Jos. *Bell. Iud.* 2.7.2 (106); *Ant. Iud.* 17.12.2 (332).
73 For Celadus as a crony of the emperor cf. also Suet. *Aug.* 67.1.
74 Jos. *Bell. Iud.* 2.7.2 (107).
75 Jos. *Bell. Iud.* 2.7.2 (109f.).
76 Dio 56.43.3; cf. above, p. 112.
77 Jos. *Bell. Iud.* 2.7.2 (108); *Ant. Iud.* 17.12.2 (335).
78 Cf. above, n. 67.
79 Jos. *Ant. Iud.* 17.12.2 (335).
80 Jos. *Bell. Iud.* 2.4.2 (57–9). *Ant. Iud.* 17.10.6 (273–6).
81 On Josephus' vocabulary of rebellion see D.M.Rhoads, *Israel in Revolution 6–74 CE*, Philadelphia 1976, 159ff.
82 Cf. above, p. 95.
83 Jos. *Bell. Iud.* 2.4.2 (57).

84 Suet. *Cal*. 26.1; 35.2. Dio 59.25.1. Sen. *Dial*. 9.11.12.
85 Plin. *Nat*. 5.11. Dio 60.8.6. *ILAfr*. 634 = *ILM* 116 = *IAM* II 448. *CIL* VI 31721 = *ILS* 954 = *AE* 1976, 17 = *AE* 1979, 23 (reference to Mauretania and Aedemon's rebellion uncertain: cf. Gutsfeld [below], 71). P. v. Rohden, *s.v.* Aidemon, *RE* I, 1894, 939. D. Fishwick, 'The Annexation of Mauretania', *Historia* 20, 1971, (467–87) 473–80. M. Bénabou, *La résistance africaine à la romanisation*, Paris 1976, 90–2. A. Gutsfeld, *Römische Herrschaft und einheimischer Widerstand in Nordafrika. Militärische Auseinandersetzungen Roms mit den Nomaden*, Stuttgart 1989, 67–72 (with refs.).
86 Plin. *Nat*. 5.11: *ulciscente liberto Aedemone*.
87 As in the case of other peoples in this difficult situation, among the Mauretanian population were to be found friends and enemies of Rome. The former are to be sought particularly among the native *honoratiores*. A number of these already had Roman citizenship, for instance M. Valerius Severus, who had proved himself in the foremost municipal offices at Volubilis. He was the son of a certain Bostar, without doubt a native of the region. As (probably self-styled) *praefectus auxiliorum*, he gave energetic support to the Roman army *adversus Aedemonem*: *ILAfr*. 634 = *ILM* 116 = *IAM* II 448; see Gutsfeld, *Römische Herrschaft* (n. 85), 70.
88 So M. Rachet, *Rome et les Berbères. Un problème militaire d'Auguste à Dioclétien*, Brussels 1970, 128; justifiably doubtful: Gutsfeld, *Römische Herrschaft* (n. 85), 68, n. 257.
89 Fishwick, 'The Annexation' (n. 85), 475, sees the revolt as 'a partisan attempt by a narrow clique to keep Mauretania in the hands of the royal court'.
90 Tac. *Hist.* 3.47.1–48.2. P. v. Rohden, *s.v.* Aniketos no. 6, *RE* I, 1894, 2210. Bellen, *Sklavenflucht* 101; 118. D. Braund, *Georgia in Antiquity. A History of Colchis and Transcaucasian Iberia 550 BC–AD 562*, Oxford 1994, 176f.; cf. 52f. (on *camarae*).
91 Tac. *Hist.* 3.47.1: *barbarum mancipium*.
92 In AD 63, the area controlled by Polemon, the Pontus Polemoniacus, became an imperial province following Polemon's abdication, probably under Roman pressure (Suet. *Nero* 18: *concedente Polemone*).
93 Tac. *Hist.* 3.47.1: *mutationis impatiens*.
94 The more so given that Vespasian from the start opposed Vitellius and had his men swear allegiance to Otho: Tac. *Hist.* 1.76.2.
95 Tac. *Hist.* 3.47.2: *egentissimo quoque*.
96 Ibid.: *in spem rapinarum*.
97 Tac. *Hist.* 3.48.2.
98 Tac. *Hist.* 3.48.1: *praedae cupidine vagum hostem*.
99 Ibid.: *Sedochezorum regis.*
100 Tac. *Hist.* 3.48.2.
101 Under the label *nec ceterae nationes silebant* (*Hist.* 4.47.1), Tacitus appears to have categorised what happened as an example of barbarian perfidy, in particular that of those of the Greek world. Cf. his judgement on the previously Pontic, then Roman, forces in Trapezus: *desidiam licentiamque Graecorum retinebant* (Tac. *Hist.* 3.47.2).
102 Tac. *Hist.* 1.78.2; 1.16.3. According to Suetonius (*Nero* 40.3), during Nero's lifetime the rumour was current that he would lose his power but later regain it, above all in the East.
103 *Promptis Graecorum animis ad nova et mira*: *Ann*. 5.10, from his narrative of the false Drusus.
104 Chilver, *Commentary* (n. 19), 172 (on Tac. *Hist.* 2.8) thinks that it is more likely that he was an Italian freedman since the alternative could be a doublet of *Hist.* 3.47.
105 Tac. *Hist.* 2.8–9. Dio 64.9.3. Zon. 11.15. A.E. Pappano, 'The False Neros', *CJ* 32, 1937, (385–92) 387–90. Bellen, *Sklavenflucht* 100f. C.J. Tuplin, '"The False Neros" of the First Century AD', in *Studies in Latin Literature and Roman History 5* (Collection Latomus 206), Brussels 1989, (364–404) 364–71.
106 Tac. *Hist.* 2.8.1: *ceterorum casus conatusque in contextu operis dicemus.*

107 Pappano, 'The False Neros' (n. 105), 387. On the number (two or three?) of false Neros see the collection of material in P.A. Gallivan, '"The False Neros": A Re-Examination', *Historia* 23, 1973, 364f., and Tuplin, 'The False Neros' (n. 105), 382f.

108 *Multi ad celebritatem nominis erecti rerum novarum cupidine et odio praesentium*: *Hist.* 2.8.2; cf. *Ann.* 5.10: *per dolumque comitantibus adliciebantur ignari fama nominis et promptis Graecorum animis ad nova et mira.*

109 On support for Nero, especially in the Greek East, see Tuplin, 'The False Neros' (n. 105), 393.

110 Tac. *Hist.* 2.9.2: *ut eum in Syria aut Aegypto sisterent.* Cf. *Ann.* 5.10: *Aegyptum aut Syriam invasurum.*

111 This idea is supported not least by the fact that in his introduction to the 'Histories' (1.2.1) Tacitus counts the appearance of the first false Nero among the great disasters which he uses to justify his gloomy assessment of the state of the Empire in June 68.

112 Tac. *Hist.* 2.8.1: *servus e Ponto sive, ut alii tradidere, libertinus ex Italia.* Tuplin, 'The False Neros' (n. 105), 369f.

113 Dio 66.19.3[b–c] (= Zon. 11.18). John Ant. frg. 104, *FHG* IV 578f. F. Münzer, *s.v.* Terentius no. 59, *RE* V A, 1934, 666. Pappano, 'The False Neros' (n. 105), 390f. Tuplin, 'The False Neros' (n. 105), 372–7. Terentius Maximus as the second false Nero was the inspiration of Lion Feuchtwanger's novel *Der falsche Nero*, published in 1936. The circumstances in which its author sets this novel about the appearance of a second false Nero on the Roman-Parthian frontier under Titus (in particular Nero's popularity in the East, the rumours that he was not dead but in hiding ready to reappear when the time was right, a Flavian policy towards Parthia that was quite different from that of Nero) give it a great feeling of authenticity. Even the idea that this false Nero was just a pawn, put in play by a leading opponent of the Flavians, does not seem impossible. Without powerful backers, unknown to us, none of the Neros could have had the success they did.

114 John Ant. frg. 104, *FHG* IV 578.

115 A reference to an emperor, forever cursed by his mother for the foul way in which he murdered her and the perpetrator of many other crimes, who will flee over the Euphrates dressed as a slave, appears in the Sybilline Oracles (*Or. Sib.* 4.119–24; 4.137–9); see Pappano, 'The False Neros' (n. 105), 389; 391; K. Christ, *Geschichte der römischen Kaiserzeit*, Munich 1988, 239f.; Tuplin, 'The False Neros' (n. 105), 397. Certain verses in the book of Revelation (13.3 and 17.9–14) are also interpreted as referring to Nero's return: Th. Mommsen, *Römische Geschichte*, vol. V[5], Berlin 1904, 396f.

116 John Ant. frg. 104, *FHG* IV 578.

117 Tac. *Hist.* 1.2.1. Suet. *Nero* 57.3f. Pappano, 'The False Neros' (n. 105) 391f. Tuplin, 'The False Neros' (n. 105), 372–7.

118 Suet. *Nero* 57.3.

119 Suet. *Nero* 57.4.

120 *Mota prope etiam Parthorum arma falsi Neronis ludibrio*: Tac. *Hist.* 1.2.1.

121 In their planning, all three false Neros will have exploited rumours, in circulation while Nero was still alive, that he would lose then regain his power, in particular in the East: cf. Suet. *Nero* 40.3.

122 Suet. *Nero* 57.3f.:

> *Quin etiam Vologaesus Parthorum rex missis ad senatum legatis de instauranda societate hoc etiam magno opere oravit, ut Neronis memoria coleretur.* (. . .) *post viginti annos* (. . .) *favorabile nomen eius apud Parthos fuit* (. . .).

Pappano, 'The False Neros' (n. 105), 390: 'The masterly eastern policy of the Neronian régime had planted a lasting warmth for Nero in Parthian hearts.'

123 Suet. *Nero* 13. Tac. *Ann.* 15.24ff. Dio 62.23.

124 F. Millar, *The Roman Near East 31 BC–AD 337*, Cambridge/London 1993, 80–90, esp. 90:

> What is clear is that this period, the 70s, produces a quite new level of evidence on the ground for the presence and impact of the Roman Empire in this region. (. . .) Fragmentary as our evidence is, we can observe both an intensification and a considerable geographical expansion of the Roman presence. An important impact of both was the replacement of royal rule (as well as royal taxation and the maintenance of royal forces) by Roman provincial rule.

125 Dio 66.19.3c.

126 Cf. already Th. Mommsen, *Römische Geschichte* (n. 115), V 396f.

127 Cic. *Rab. Perd.* 20; *Sest*. 101. Val. Max. 3.2.18; 3.8.6; 9.7.1f.; 9.15.1. App. *Civ.* 1.32.141ff. Flor. 2.4.1. Anon. *De Vir. Ill*. 62.1; 73.2. *CIL* I^2 p. 196f. Münzer, *s.v.* Equitius no. 3, *RE* VI, 1909, 322f.

128 Val. Max. 9.15.1.

129 Val. Max. 3.8.6: *nescio quibus tenebris protractum portentum.* Elsewhere Valerius Maximus claims that Equitius came from Firmum in Picenum (9.15.1: *Equitium Firmo Piceno monstrum veniens*).

130 Flor. 2.4.1: *sine tribu, sine notore, sine nomine.*

131 Anon. *De Vir. Ill*. 73.2: *quendam libertini ordinis.*

132 Cic. *Rab. Perd*. 20: *ex compedibus atque ergastulo*. App. *Civ.* 1.32.141.

133 Cic. *Sest*. 101. Val. Max. 9.7.2. *CIL* I^2 p. 196: *{ce}nsor L. Eq{uitium censu prohibuit}?* Anon. *De Vir. Ill.* 62.1.

134 Val. Max. 3.8.6; Anon. *De Vir. Ill*. 73.2: *Ad hoc testimonium Sempronia soror Gracchorum producta, nec precibus nec minis adduci potuit ut dedecus familiae agnosceret.*

135 Val. Max. 9.7.1.

136 Flor. 2.4.1.

137 Val. Max. 3.2.18: *Equitius designatus tribunus plebis.* App. *Civ.* 1.33.146.

138 Liv. *Per*. 116. Val. Max. 9.15.1. App. *Civ.* 3.2.3; 3.3.6. Cic. *Att*. 12.49.1; 14.8.1; *Phil*. 1.5. v. d. Mühll, *s.v.* Herophilos no. 1, *RE* VIII, 1912, 1104f. F. Münzer, *s.v.* Marius no. 16, *RE* XIV, 1928, 1815–17. H.G. Gundel, *s.v.* Marius no. 4, *KlP* III, 1975, 1033. A.E. Pappano, 'The Pseudo-Marius', *CPh* 30, 1935, 58–65f. F. Kudlien, *Die Stellung des Arztes in der römischen Gesellschaft. Freigeborene Römer, Eingebürgerte, Peregrine, Sklaven, Freigelassene als Ärzte* (Forschungen zur antiken Sklaverei 18), Stuttgart 1986, 68f.

139 This is the prevailing opinion in the works cited in n. 138. Kudlien, *Stellung des Arztes* (n. 138), 69, however, assumes the existence of two people, Chamates/Amatius and Herophilus respectively. Against Kudlien one may cite, apart from the *communis opinio*, the fact that it was not just Chamates/Amatius who 'appears to have become entangled in politics' (69). According to Valerius Maximus (9.15.1), Herophilus planned nothing less than the wiping out of the Senate (*consilium interficiendi senatus capere sustinuit*)!

140 *Fugitivus ille*: Cic. *Phil*. 1.5.

141 Cf. e.g., Cic. *Phil*. 11.16; *Parad*. 4.27.

142 Cic. *Att*. 12.49.1.

143 See generally on this H.G. Pflaum, 'Sur les noms grecs portés par les Romains et leurs esclaves', *REL* 51, 1973, 48–54.

144 *Ocularius medicus*: Val. Max. 9.15.1. A variant reading is *equarius medicus*, which would make Herophilos a veterinary surgeon specialising in horses. Cf. Kudlien, *Stellung des Arztes* (n. 138), 68.

145 Kudlien, *Stellung des Arztes* (n. 138), 71ff.

146 Pappano, 'The Pseudo-Marius' (n. 138), 59.

147 App. *Civ.* 3.2.3.
148 Val. Max. 9.15.1.
149 Pappano, 'The Pseudo-Marius' (n. 138), 59f., with reference to Nicholas Dam. *Vit. Caes*. 14.
150 Cic. *Att*. 12.49.1 seems to suggest that he did this. Direct confirmation is afforded by App. *Civ.* 3.2.3.
151 Val. Max. 9.15.1: . . . *cum C. Caesar . . . populum in hortis suis admisisset, proximo intercolumnio paene pari studio frequentiae salutatus est* (sc. Herophilus).
152 Ibid.
153 Cic. *Att*. 16.6.1; 16.7.1.
154 App. *Civ.* 3.2.3; 3.3.6.
155 App. *Civ.* 3.2.3. F. Taeger, *Charisma. Studien zur Geschichte des antiken Herrscherkultes*, vol. II, Stuttgart 1960, 81f.
156 App. *Civ.* 3.2.3.
157 Val. Max. 9.15.1: *Consilium interficiendi senatus*. Cic. *Phil*. 1.5: *liberatus periculo caedis paucis post diebus senatus*.
158 App. *Civ.* 3.3.6.
159 Pappano, 'The Pseudo-Marius' (n. 138), 62.
160 Cf. Kienast, *Augustus* (n. 11), 24f.
161 Val. Max. 9.15.4. M. Deissmann-Merten, *s.v.* Trebellius no. 3, *KlP* V, 1975, 933.
162 On popularist methods see Ch. Meier, *Res publica amissa*[2], Frankfurt 1988, 116ff.

8 CONCLUSION

1 Above, p. 129 and n. 152.
2 H. Kenner, *Das Phänomen der verkehrten Welt in der griechisch-römischen Antike*, Klagenfurt 1970.
3 G. Baudy, 'Die Herrschaft des Wolfes. Das Thema der "verkehrten Welt" in Euripides' 'Herakles', *Hermes* 121, 1993, (159–80) 159.

INDEX

This index combines Indices 3 and 4 of the German edition. Indices 1 and 2, listing citations of ancient and modern authors, have been omitted.

An asterisk (*) denotes individuals explicitly or implicitly designated *latrones*/*leistai* in our sources.

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